

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
10:00 a.m. - 1:00 p.m.
FRIDAY, MAY 2, 1980

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

ORAL QUESTIONS:

MR. SPEAKER: The hon. Leader of the Opposition.

MR. JAMIESON: Mr. Speaker, I have a question for the hon. the Premier and I would like to, by way of a very brief preamble, say of course that we on this side, as members opposite, are deeply concerned about the referendum in Quebec and to the extent that it is useful we certainly endorse the comments that have been made with regard to the anxiety of people in this Province that our country stay together.

In the Throne Speech of last Summer, July 12th., reference is made to the likelihood of a, I suppose I could call it, Mr. Speaker, a constitutional paper and, if I can quote, it says, "The people of the Province will be invited to actively engage in this great constitutional debate." I happen to agree that it is important; I happen to agree with the importance of "renewed federalism" and so on. Could the Premier indicate if work is progressing on a basic document that might be, I am not sure of the right word, a comprehensive assessment of most aspects of the constitution and is there some word he could give us on when this kind of discussion might go public?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Yes, Mr. Speaker, since that document, and through the Winter and Spring, we have been developing our position. If the hon. Leader of the Opposition (Mr. Jamieson) remembers back when the continuing committee on the constitution was very, very active, most of the provinces were deeply involved in trying to put forward a position as it related to the division of powers, as it related to the role of the Supreme Court, as it related to whether the Senate

PREMIER PECKFORD: should be changed, as it related to communications, and so on. The Minister of Justice has, over the last six or eight months, brought to Cabinet a number of different proposals as it relates to the Province's position and we are still working that out. We would anticipate that after the referendum vote is completed that that would be perhaps the most appropriate time to lay out our document as it relates to it.

I have had a fair number of talks with some of the premiers on some of the details on that. And the Premiers' Conference in Pointe au Pic addressed itself extensively to it. So we will be ready around that time, I would say sometime later on this Spring or early Summer, to lay out the kinds of changes we would like to see for our part. I did some of it as it related to the division of powers in my speech in Nova Scotia last week or the week before, whenever it was, only on the division of powers part of it. And there is a lot more involved as the Leader of the Opposition knows. But sometime later on this Spring we would be in a position to deliver on that commitment.

MR. JAMIESON: A supplementary.

MR. SPEAKER (Simms): A supplementary, the hon. the Leader of the Opposition.

MR. JAMIESON: Could I ask the hon. the Premier what the procedure is likely to be with regard to public input? In other words, is there some thought perhaps of either a travelling committee either of members or a House committee or perhaps a commission, or has he thought through how this input might be achieved? And the second point, I suppose, which I can do by way of add on rather than supplementary, is it going to be a situation in which the Province's position will in a sense be put down as being a firm position, or are you anticipating that this would be something comparable to a white paper, or I

MR. JAMIESON:

believe there is another legal kind of document called a Green Paper from which if there is public input, that the government would be in a position to take those representations or suggestions or ideas into account? What is the procedure that the Premier anticipates?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, given the positions that have been taken in the past and so on, and now a lot of work has gone into the development of positions now, I think we would outline what the positions of the government are on a number of basic issues dealing with constitutional change. I would not anticipate a select committee or so-called White Paper. I think we might possibly, because of time limitations, be into a fairly quick period in which the government would have to respond to initiatives made by the federal government or through the federal/provincial avenue. But we would, after we table our positions, be willing to examine them and re-examine them on the suggestions that would come either from the Opposition or from other quarters within the Province.

MR. JAMIESON: A final supplementary.

MR. SPEAKER: A final supplementary. The hon. Leader of the Opposition.

MR. JAMIESON: I am sure it is obvious the reasons for my questioning, and that is that I am speaking here of the total, and it is a very complex major package and that there are individual and important groups within the Province on specific constitutional question. Could I at this point ask the hon. the Premier, since the issue has not been one which has been what I would say engaging the general public in the Province, and I am not talking about any specific one, have any representations been coming into the government, that is on the initiative of different groups? Is there much by way of public input at the present by people who have concerns in very special areas?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: No, overall there has not been. I think

PREMIER PECKFORD: perhaps the only area outside of what both members in this House have been saying and it has been a pretty lively debate as it relates to the division of powers on resource ownership question, outside of that area, which we ourselves and members on both sides have gotten involved in, the only other area would be dealing with the whole question of native land claims in which you have a fairly lively group both as it relates to the desires and wishes and claims of the Micmac people on the Island, the same way in Labrador as it relates to the Indian population, the Naskaupi, the Montagnais and of course the Inuit. So in that area there has been a fair amount of input and a fair amount of representation both from those local organizations themselves and from national organizations representing them and trying to push their issue. So that is about the only area that I am familiar with that there has been a lot of representation, it is in that area because there is some grayness there as it relates to the jurisdiction of one government and the other.

MR. JAMIESON: I apologize to my colleagues. but very, very quickly, one of the groups I had in mind was the Law Society. I believe there is a committee of the Law Society and I am

MR. D. JAMIESON:
anything before the government?

wondering if they have ever put

PREMIER PECKFORD:
can perhaps better answer that.

The Minister of Justice (Mr. G. Ottenheimer)

MR. SPEAKER (Simms):

The hon. the Minister of Justice.

MR. G. OTTENHEIMER:

A national organization, the Canadian Bar Association, has quite an extensive study on this which has been made available throughout Canada, but to my knowledge, and certainly since I have been there, no specific representation from the local or Newfoundland Law Society.

MR. SPEAKER:

The hon. the member for Windsor - Buchans, followed by the hon. the member for LaPoile.

MR. G. FLIGHT:

Thank you, Mr. Speaker. My question for the hon. the Minister of Mines and Energy (Mr. L. Barry) is with regard to the iron ore industry in Labrador. Specifically, I wonder if the minister would indicate to the House whether or not there is presently any interest being shown by potential developers for the development and bringing into production of the Julian Lake deposits? I hear that any interest that had been expressed has sort of been lost for the time being due to the recession in the steel industry. Would the minister comment on the status of the Julian Lake deposit?

MR. SPEAKER:

The hon. the Minister of Mines and Energy.

MR. L. BARRY:

Mr. Speaker, I do not think there has been any change in the situation one way or the other. I do not believe that there was a very active interest before the present U.S. recession in the development of the Julian deposits for a number of reasons. I have not had any approaches since I have been minister, nor have I had any indications that the situation has changed. We are aware that the U.S. recession may mean less production of North American automobiles and possibly less demand for iron ore, but to date this has not had a significant impact upon Labrador operations.

MR. G. FLIGHT:

Mr. Speaker, a supplementary.

MR. SPEAKER:

A supplementary, the hon. the member for Windsor - Buchans.

MR. G. FLIGHT:

Thank you, Mr. Speaker.

That brings up another very interesting point, Mr. Speaker. I would ask the minister if he sees or if he is aware of any possibility of concerns in Labrador City that the present recession in the steel industry and the cutback in automotive production constitute any possibility of jeopardizing the level of employment in Labrador City - Wabush now? Is the minister aware of any possible cutbacks in employment due to the cutback in demand for steel or the products of Labrador City - Wabush?

MR. SPEAKER (Simms):

The hon. the Minister of Mines and Energy.

MR. L. BARRY:

Mr. Speaker, we have been having officials monitor the situation with respect to the demand for iron ore insofar as it is possible for this Province to do so. We are trying to predict what may occur, and while it is never a nice situation to see developing a possible recession - and I might note that the economic situation in Canada is relevant as well as the United States because a considerable proportion of the iron ore is sold to the Canadian steel industry - we have to try to predict what the future economy of both the U.S. and Canada is going to be. But to date, as I have said, we have no indications that serious problems are going to result. We would, of course, prefer to see demand

MR. L. BARRY: for iron ore worldwide increasing rather than decreasing.

MR. G. FLIGHT: A final supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A final supplementary, the member for Windsor - Buchans.

MR. G. FLIGHT: Mr. Speaker, I have indicated to the minister that there is some concern coming out of Labrador City and Wabush of the potential adverse effect on the whole operation because of this recession and cut back in the steel producing sector, but it brings up another interesting point here, Mr. Speaker. I wonder if the minister would comment: the fact is that the owners, producers, users, in Labrador City, the people who operate the mines are the users of the product.

Are they seeking new markets that are not totally tied to the automotive industry in the States? In the event of a real curtailment in the automotive production industry, seeking markets that are not totally dependant on their own demand, on the owners' demand so that the production from Labrador City and Wabush would not totally depend on the usage by owners and operators of the mine, has he indicated they are seeking markets elsewhere in the world other than for their own use ?

MR. SPEAKER (Simms): The hon. the Minister of Mines and Energy.

MR. L. BARRY: Mr. Speaker, I might say that this entire area of economic analysis of mining opportunities, the mining industry and the possibilities of finding additional markets is an area which has received attention by the Department of Mines and Energy and we have, in fact, recently obtained approval to have people brought on staff with a particular responsibility for this area of mineral policy. Specifically, we already have hired - I was just checking to see what the actual title was - a mineral development engineer who will have responsibility for analyzing the economics of various mining operations within the Province, who will look upon them from the point of view of whether they are efficiently

MR. L. BARRY: utilizing the resource, avoiding high-grading and maximizing the output from the mine. But also, this division of the department will have a responsibility for attempting to determine as fully as possible what the future economic prospects for the particular industry might be.

And we have had certain discussions and we do, as much as possible, obtain information upon markets. We know that the Iron Ore Company, for example, has had an aggressive campaign to try and expand their markets. Similarly, Wabush Mines, and this is something that the mining companies, like every other company, if they are not selling as much as they produce, they are constantly seeking new markets, or I should say if they are not selling as much as they can produce, they are constantly looking for new markets. And the iron ore companies are the same as any other manufacturers in this respect.

MR. SPEAKER (Simms): The hon. the member for LaPoile.

MR. S. NEARY: Mr. Speaker, it seems to be the day that the hon. the Minister of Mines and Energy (L. Barry) is in the barrel. That is just a coincidence. I have a question for the minister also. The minister made a statement there a few days ago, a threat really. He threatened to

MR. B. TULK: Mr. Speaker, I have a question for the Minister of Transportation and Communications (Mr. Brett). I understand that recently the minister announced that the John Guy, a ferry on the Bell Island run, would replace the ferry to Hamilton Sound on the Fogo Island run when it went on annual overhaul. Now I understand the minister has changed his mind, I wonder could he inform the House if it is the case that the John Guy will not be going to Fogo Island and what has occurred to make him change his mind, if indeed he has?

MR. SPEAKER (Simms): The hon. Minister of Transportation and Communications.

MR. C. BRETT: Mr. Speaker, I thought it was the Catherine that was going to Fogo Island.

MR. S. NEARY: No, it was the John Guy.

MR. C. BRETT: Well, one of them, anyway. It is not important, but one of them was slated to go. We had negotiated a deal with the owners and we found out some time yesterday that it was in the contract apparently that the boat was not to leave St. John's so therefore we cannot take it to Fogo. I would assume now we will have to negotiate with Mr. Miller to keep the Fogo Isle on the run.

MR. B. TULK: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Fogo.

MR. B. TULK: I understand the minister then has said that his decision was changed because the contract under which the John Guy or the Catherine, whatever the case may be, operates, that it is not allowed for that ferry to be taken off standby on the Bell Island run. And it is only being used now I understand, as a stand-by and is not being used. Is that the case? More importantly, perhaps, Mr. Speaker, did the minister make his announcement that that ferry would be going to Fogo Island without knowing the terms of the contracts of ferries that the government is responsible for in this Province and

MR. BRETT: No, Mr. Speaker, I would not go so far as to say we did not know it was in the contract, but I did not realize, I suppose, that people would be so uptight about the boat leaving. Actually I see no reason why she could not be on stand-by in Fogo as well as she could be in St. John's.

AN HON. MEMBER: That is right.

MR. BRETT: And I do not want to get into this today because I spent all yesterday at it but -

MR. NEARY: You do not care about the people on Bell Island.

MR. BRETT: No, I did not say that, Mr. Speaker. What I said was I did not see much difference being on stand-by in Fogo than being on stand-by in St. John's as long as she is on stand-by. But as I indicated yesterday, this whole mess in the last couple of days just points out the inadequacies of the whole system.

MR. NEARY: Right.

MR. BRETT: The hon. member for Bonavista North (Mr. Stirling) who represents the Greenspond area has got the same problem up there where the ferry has been down for the last two days, but hopefully she will be back on again tomorrow or the next day. It is a sad and a sorry situation when we have a boat that cost millions of dollars, for which the taxpayers are paying, I do not mind saying, tied up at the wharf and the government is not allowed to use it. I hope we will be able to change that in the not too distant future.

MR. TULK: A final supplementary.

MR. SPEAKER (Simms): A final supplementary. The hon. member for Fogo.

MR. TULK: Mr. Speaker, also, I think in one of his answers the minister told us that the Hamilton Sound will not be replaced by either the John Guy or the Catherine, but indeed he is now

MR. TULK: going to negotiate with Mr. Miller for the use of the Fogo Isle. The minister is well aware of the inadequacy of that ferry even for the Winter service, let alone the Spring service, so I am wondering if the minister has made any special arrangements for extra trips or not? I am also wondering, Mr. Speaker, is the change of decision on the part of the minister perhaps a result of some meetings that I understand were held yesterday between the Premier, the member for Harbour Main-Bell Island (Mr. Doyle) and perhaps the Minister of Transportation and Communications (Mr. Brett)? Was the change of heart a result of these meetings or were the news releases and the changes of decision just simply a result of the minister's incompetence?

MR. SPEAKER (Simms): The hon. Minister of Transportation.

MR. BRETT: Mr. Speaker, I do not even know if I should bother to answer that question. That is utterly ridiculous. Number one, I did not have a meeting with the Premier yesterday or the member for Bell Island. I saw both hon. gentlemen here in the House and in the corridors, but I had no meeting with either one of them. I do not know if trying to improve a system, a ferry system in some part of the Province can be considered as being incompetent or not. We tried to improve the system there. I know that the Fogo Isle is not a good boat for that run, I know she is inadequate, but I also know it is impossible, physically impossible to get anything else to go there and we are just going to have to put up with it for the next two or three weeks while the other ferry is on dock in here. We only found out yesterday that we are going to probably have to go with the Fogo Isle, so I have not had much time, or my staff either for that matter, to negotiate extra trips with the ferry operator but we will do everything that we can to keep the service going there for the three weeks.

MR. SPEAKER: Order, please! The time for Oral Questions has expired.

MR. SPEAKER (Simms): The time for Oral Questions has expired. I would like to welcome to the Galleries today on behalf of all hon. members, Mrs. Monica Bridger and a number of students from the Secretarial Science Class of the College of Trades and Technology. We trust they will find their visit enjoyable.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: If I could have the attention of the hon. members of the House for just one second: I have just been informed, just after the Question Period began, that His Honour, the Lieutenant-Governor, entered hospital last night rather quickly and had an operation last night. But he is feeling well now, and I think we would be a little bit remiss if I did not, and I am sure all hon. members will join me in sending a card or telegram to His Honour hoping that he will have a speedy recovery and we look forward to him back in this House to sign some important pieces of legislation before this session is completed. So, I wanted to inform hon. members that His Honour is in hospital, he is fine and dandy and should be out of hospital in a week or so. It was not what one would classify as a real serious operation, but when you are in hospital you are in hospital and it is a matter of some concern. He has had an operation and he is feeling well this morning, number one, and number two, I would ask all members to join with me, through your office, Mr. Speaker, in sending a card of speedy recovery to His Honour.

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. D. JAMIESON: Mr. Speaker, of course, we wholeheartedly join in both the regrets and the sentiments about sending a message to His Honour. It must have been some surprise, I take it, because he was only recently, I believe only yesterday or the day before, returned from

MR. D. JAMIESON: vacation trip. May 1, at the same time, and I am sure I have the unanimous agreement of everybody here, indicate that we are all extremely pleased that he has agreed to serve an additional year at Government House. So, we are most happy to join with the hon. the Premier in this particular message and hope that you, Mr. Speaker, will arrange for the necessary message to be dispatched.

MR. SPEAKER (Simms): For the motion, those in favour, aye. Contrary, nay. Carried.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

MR. SPEAKER (Simms): The hon. the Minister of Health.

MR. W. HOUSE: Mr. Speaker, I have two questions, one relating to referral of patients by General Practitioners, and one relating to traffic accidents by tractor trailers, as put on the order paper by the member for LaPoile (S. Neary).

MR. SPEAKER (Simms): Any further answers?

PRESENTING PETITIONS:

MR. SPEAKER: The hon. member for St. Mary's-
The Capes.

MR. HANCOCK: Thank you, Mr. Speaker. I rise to
present a petition on behalf of the thirty-four genuine fishermen of
Admiral's Beach. This is a small community in my district. The
petition is only small, Sir, but it represents every fisherman in
that community.

They are very upset with the Worker's
Compensation that they are not getting, which I feel, in my opinion,
they should be getting.

And the prayer of the petition, Sir, is
as follows; it says, "We, the undersigned, petition the government
of Newfoundland and Labrador to amend the Worker's Compensation
legislation so that the fish buyers are declared the employers of
fishermen who supply them with fish for the purpose of that
legislation."

So it seems like the fishermen have
been discriminated against and it does not seem fair so I ask at
this time that the petition be placed on the table of this House and
referred to the department to which it relates.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I would submit that that is
one in a number of petitions that will appear before this House before
this session ends. The fishermen are arguing and claiming that they
are entitled to be covered under Worker's Compensation, the same as
all other workers in the Province. That is a fair and just request.

Now the government so far have somewhat
clouded the issue and confused the issue by saying that they are already
covered when in actual fact they are not. I believe this move is

MR. NEARY: promoted by the Newfoundland Fish, Food and Allied Workers Union and they are to be congratulated for trying to bring in a major social reform that will cover their members and cover all the fishermen in this Province.

It is a good petition. I hope there will be more petitions come into the House. The fishermen in Admiral's Beach are to be commended for taking the initiative in this matter, and I hope that it will set off a chain reaction and that we will get petitions and requests from fishermen all over the Province, clamouring for their entitlement for Worker's Compensation. So I have no hesitation at all, Mr. Speaker, in supporting the prayer of the petition and I congratulate the hon. gentleman for bringing it to the attention of members of the House.

MR. HISCOCK: Right on. Right on.

MR. SPEAKER (Simms): Before calling Orders of the Day, I would like to welcome to the galleries also on behalf of all hon. members a group of students from Point Leamington, in the district of Exploits, accompanied by their teachers, Mr. Langdon and Mr. Andrews. We trust they will find their trip to be enjoyable.

SOME HON. MEMBERS: Hear, hear!

ORDERS OF THE DAY:

MR. MARSHALL:

Order 2, Committee of Supply.

On motion that the House resolve itself into Committee of the Whole on supply, Mr. Speaker left the Chair.

MR. CHAIRMAN (Butt):

Order, please! Head III - Executive Council.

I would like to point out to all hon. members that we have one hour and forty-eight minutes remaining.

Shall subhead 302-01 carry?

The hon. member for LaPoile.

MR. NEARY:

Mr. Chairman, for the benefit of the students who I am glad to see in the gallery today, we are now discussing in Committee of the Whole the Premier's salary. We are discussing, debating estimates and we are on the Premier's salary and we have been on the Premier's salary now for the last two weeks. And because of the new rule changes that the government forced on this House, our debate on the estimates is rather restricted and you might have heard the Chairman say that we only have one hour and forty-eight minutes left to debate the estimates on the floor of this House: Now we could take another, not only an hour and forty-eight minutes but we could take a year and forty-eight months to debate the Premier's salary because we have a lot to say to the hon. gentleman and when we are in Committee of the Whole we are allowed to speak for ten minutes and then we have to sit down and somebody else will speak and then you can get up for another ten minutes. But the difference in Committee of the Whole and when the Speaker is in the Chair, is that you can relax a little more, the rules are a little more relaxed, you have a Chairman and you can more or less have debate back and forth.

So I want to start off today because we have been criticizing the Premier, mainly -

AN HON. MEMBER:

Shocking. Shocking.

MR. NEARY: - mainly for his lowering the position of Premier, of Prime Minister of Newfoundland, lowering the position to that of a cheap politician. The Premier himself is not a cheap politician but he has lowered the office, the high office of Premier. And you might have noticed during the Oral Question Period this morning the Minister of Mines and Energy (Mr. Barry) got up and more or less parrotted some of the things -

MR. WARREN The school boy debater.

MR. NEARY: - the school boy debater we call him in this House, got up and parrotted some of the things that the Premier has been saying about offshore and we

MR. S. NEARY: close down Hibernia and yesterday that reached the floor of the House of Commons and it is generally known now, I suppose, throughout North America and the free world that the hon. gentleman has threatened an industry, threatened to close down Hibernia. Would the hon. gentleman care to elaborate on that, how he intends to go about, if in his wisdom he feels it should be done, shutting down Hibernia?

MR. SPEAKER (Simms): The hon. Minister of Mines and Energy.

MR. L. BARRY: Mr. Speaker, I did not nor would I label it as a threat, but if the Prime Minister and the Federal Government feel threatened, I suppose, well, they should. And the point that I made was that if there is any delay with respect to Hibernia production, it will be upon the heads of Mr. Trudeau and the Federal Government for their failure to co-operate and for their failure to adopt a reasonable approach. And the point that I made was that if the Federal Government continues in the intransigent position of saying, 'We will not accept any recognition of Newfoundland's ownership, we will not accept Newfoundland having any significant degree of control,' which the Prime Minister of Canada again yesterday in the House of Commons appears to have re-asserted, then I pointed out this will result in a court case which will see at least three years, in my opinion, of delay with respect to offshore production. And if the unreasonable action continues subsequent to the court case, if in the unlikely event, and I stress in the unlikely event that the Province were not successful in the court case, then there would be further delays. - this is not a threat, this is a statement of fact - there would be further delays while the Province exercised its legitimate legal constitu-

MR. L. BARRY: tional rights to ensure that developments on land took place in a fashion compatible with provincial objectives. So that we are pointing out we are not going to relinquish our ownership, our rights to see that this resource is managed for the benefit of Newfoundlanders, we are not dropping that. And if Mr. Trudeau and the Federal Government insist upon trying to force us to drop them, they are going to see themselves in a lengthy court battle and they are going to see themselves in a subsequent situation where their

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MR. BARRY: co-operation will be necessary in order to assure that production proceeds.

MR. NEARY: Mr. Speaker, a supplementary.

MR. SPEAKER (Simms): A supplementary, the hon. member for LaPoile.

MR. NEARY: Well, if I ever heard shotgun diplomacy, Mr. Speaker, we just heard it from the hon. gentleman. But the hon. gentleman evaded the question, really, that I put to him. I asked the hon. gentleman to elaborate and to tell the House how he would go about shutting down Hibernia. Now, do I understand the hon. gentleman correctly, that if Newfoundland is forced, by the attitude, by the policies of the Government of Canada, if Newfoundland is forced to take its case to the Supreme Court, while that case is on the government would allow no development on land, they would not allow the offshore development to proceed while the court case is on, and the way they would stop it would be not to allow any development on land, is that what the hon. gentleman is saying? I am looking for information. I am not favouring anybody in this particular matter. I am just asking for information.

MR. SPEAKER: The hon. Minister of Mines and Energy.

MR. BARRY: And that is the problem. Mr. Speaker, I am glad to have that acknowledgement from the hon. member opposite, that he is not favouring anyone in this dispute, and that is exactly the position that is taken by the Opposition party in this House. They are not favouring anyone.

SOME HON. MEMBERS: That is right.

SOME HON. MEMBERS: Hear, hear!

MR. BARRY: They are not favouring the people of this Province.

MR. J. MORGAN: Hear, hear!

MR. NEARY: Why do you not resign?

MR. BARRY: We have seen them get up, Mr. Speaker,
for the past month -

SOME HON. MEMBERS: Oh, oh!

MR. JAMIESON: A point of order.

MR. BARRY: - and attempt to point out -

MR. SPEAKER (Simms): Order, please! Order, please!

A point of order, the hon. Leader of
the Opposition.

MR. JAMIESON: I simply want to say that I think in
fairness that the hon. member is engaging in debate and that it is
an inappropriate time in the sense that if this kind of thing proceeds,
obviously it is going to be necessary for members on this side to
get into the same kind of argument and I do not believe the Question
Period is the appropriate place for that.

MR. MARSHALL: On the point of order, Mr. Speaker.

MR. SPEAKER: To the point of order, the hon. President
of the Council.

MR. MARSHALL: I will simply say that when one asks
a question, one gets an answer.

MR. SPEAKER: With respect to the point of order, I
would ask the hon. Minister of Mines and Energy to respond to the
question.

MR. BARRY: Yes, Mr. Speaker, I think, as I have
said again, that this clearly sets out the position opposite, that
the past month has seen in this House the Opposition taking the position
that, "Oh, there is not that much of a difference between the federal
position and the provincial position." The Leader of the Opposition
(Mr. Jamieson) has mentioned this and they have indicated that the
federal government is prepared to be reasonable and they are willing
to negotiate, and they are willing to give maximum benefits to
Newfoundland. Now we have seen the Prime Minister of Canada stand up in

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MR. BARRY:

the House of Commons yesterday and

state -

MR. L. THOMS:

Have you read the Hansard yet?

MR. BARRY:

- and state that the Maritime Provinces

agreement is -

MR. L. THOMS:

No, you are quoting. (inaudible)

MR. BARRY:

- what he wants to impose upon

MR. L. BARRY: this Province, And we have stated, Mr. Speaker, since 1974 - and I pointed out the correspondence, tabled it in the House a few days ago - that the Maritime Provinces agreement maintains the final say with the federal government. It is not adequate to give the substantial degree of control that this Province needs. Even the Maritime Provinces themselves have rejected that agreement since Newfoundland took its position. And as far as the delay with respect to Hibernia production is concerned, whether it is offshore or onshore, come this Fall, Mr. Speaker, when, as I expect, step-out wells will have been drilled in sufficient number to identify commercial quantities of oil, the oil companies are going to want to go to the next step, which is raising the financing to expend on the extensive infrastructure that is going to be needed to produce the oil and gas. And the fact remains, Mr. Speaker, that that financing is not going to be available to them unless there is security of title. And the fact remains again, Mr. Speaker, that our ownership rights will be enforced, our ownership rights will not be relinquished, and it appears that the federal government is not prepared to recognize them, so that is going to create an uncertainty, which will prevent the companies from obtaining the necessary financing and which, through the actions of the federal government, will result in Hibernia production being delayed.

MR. S. NEARY: Mr. Speaker, a final supplementary.

MR. SPEAKER (Simms): A final supplementary, the hon. the member for LaPoile.

MR. S. NEARY: Mr. Speaker, the hon. gentleman again did not answer the question, but I will skip over that and I will come back to something else that he raised about the negotiations with the Government of Canada. Why is it that almost three months have gone by and the government of which he is a minister has not yet officially approached the Government of Canada -

AN HON. MEMBER: Hear, hear!

MR. S. NEARY: - to sit down around a table to discuss the ownership or management or control of offshore? Why has that not been done?

MR. S. NEARY: Why is the hon. gentleman more concerned about playing cheap politics than he is in having his Premier, his boss, pick up the phone, call the Prime Minister of Canada and say, 'Mr. Prime Minister, can we sit down and talk about this?' Now, why has it not been done? Why the delay? Why the procrastination?

MR. L. THOMS: (Inaudible) the scheme of things.

MR. SPEAKER (Simms): Order, please!

MR. S. NEARY: Is that not a part of their political manoeuvring?

MR. WARREN: Pass the buck! Pass the buck!

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, as I have mentioned in this House on many, many occasions, it is the policy of this administration to try to be rational and reasonable in dealing with federal/provincial relationships and, therefore, we have prepared a document which we will be tabling next week which outlines ongoing policy objectives that the Province has that involve the federal government. One of those most important policy objectives is to see that our ownership rights are maintained and confirmed by everybody in Canada, including, obviously, the federal government, and that will be clear. Additionally, the Minister of Mines and Energy (Mr. L. Barry) will be meeting next week with the Minister of Energy, Mines and Resources for Canada (Marc LaLonde) to discuss energy matters and apparently the federal minister wants to discuss the whole question of the offshore. But we will be putting clearly and unmistakably before the federal government, in a rational way, a document dealing with this.

Now, in the meantime, Mr. Speaker, it

PREMIER PECKFORD: is no secret that right now there is a document in the Prime Minister's office, right now there is a document in the Minister of Energy, Mines and Resources office, right now there is a document in the Minister of Transport's office, right now there is a document in almost every ministry in Ottawa concerning the ideas and policies that we want to pursue, that were presented last September and last October to them. There is no question about that, that is there. Furthermore, there is a minister in the Federal Cabinet who, after meeting with me in Labrador City some time ago was told or I discussed with him the whole question of federal/provincial relations and reiterated most of the positions that were contained in those documents. Additionally, there are five Liberal M.P.'s in Ottawa whom I wired and have explained our positions to who obviously are aware of these documents, there are two Tory, or P.C., M.Ps who are in the House of Commons who have also pursued this matter with them. We are going to refine and bring up to date that policy document and in that policy document will be the position of the Newfoundland Government as it relates to the offshore which is reiterating again our claim for ownership of the mineral resources on the Continental Shelf. And, therefore, we will be prepared after next week to see whether, in fact, the new Federal Government is going to relinquish its claim on the mineral resources, on ownership of the mineral resources and be willing to acknowledge ours and be willing to move further along in the steps that were outlined in the exchange of correspondence between me and the former Prime Minister, Mr. Clark.

MR. B. TULK:

Mr. Speaker.

MR. SPEAKER (Simms):

The hon. member for Fogo,

followed by the hon. member for Kilbride.

MR. S. NEARY: have begged and are still begging the government to tell us what their position is on the offshore resources. What route do they intend to take to present their official position to the Government of Canada to have the offshore resources confirmed? Because there is grave doubt both in this House - both sides of the House - in Newfoundland and in Canada as to who owns the offshore resources.

MR. L. BARRY: No doubt on this side.

MR. L. THOMS: Oh, yes, there is. (Inaudible).

MR. S. NEARY: Mr. Chairman, if I may. This government say they own it, this party says that Newfoundland should own it, on that we agree. On that there is a common denominator.

MR. L. BARRY: There is no doubt at all, it belongs to Newfoundland.

MR. S. NEARY: Yes, there is some doubt, apparently, because the hon. gentleman again this morning referred to it.

MR. L. THOMS: You are posturing again now. You are posturing again.

MR. S. NEARY: There is no point in playing politics any longer with this, Mr. Chairman, no point at all.

Now, for the first time in this debate we managed to worm out of the Premier the other day the government's official position. Now, I want to find out if I am right in my thinking, because the government have been saying, 'Well, why do not the Opposition support us? Well, we did not know what it was we had to support, because the government up to this point in time outlined five options. And here are the options: number one, they said -

MR. L. BARRY: Would the hon. member permit a question?

MR. S. NEARY: When I am finished, the hon. gentleman can have his turn.

MR. L. BARRY: A question?

MR. S. NEARY: A question, he can make a statement, he can stand on his head out in the middle of the floor if he wants to.

MR. S. NEARY:

The five options outlined by the government by various ministers and by the Premier were these: number one, the Clark formula - and the Clark formula is a combination of two or three of the other options; number two, negotiations, the same as Nova Scotia, New Brunswick and Prince Edward Island; number three, a constitutional change which would take probably years and years and years trying to get the agreement of the other provinces of Canada; number four, take the matter to the Supreme Court; and number five, concurrent legislation - that is, an act passed in this House and an act passed in the Parliament of Canada confirming the Newfoundland ownership. Now, are these the five options? I ask members, have I gone astray? Am I wrong? Are these the five options that have been put before members of this House? Well, if they are - and I think members agree they are - then what we have been trying to find out is which one of these five will the Government of Newfoundland take to the Government of Canada and say, 'Here is our official position'?

Well, now, the other day after much debate, after stripping the government down stark naked and exposing them for their little cheap political games and trickery that they were playing, the other day the Premier finally gave a position. And now I am going to ask him again to confirm for me - because I am interested in this and I am very curious about it - to confirm for me and the House and the people of this Province if this is now the provincial government's official position? Number one, they will approach Ottawa with more or less the Clark formula - and the Clark formula is this, number one, an agreement between the Government of Canada and the Province through an exchange of letters, etc., etc., an agreement reached between the provincial government and the Government of Canada. Second step, an Order in Council confirming the agreement. Third step, concurrent legislation in this House and in the Parliament of Canada enshrining that in law. And the fourth step, if necessary, a constitutional change. Now is that - I am going to ask because I am not quite sure. I heard it the other day for the first time when I had the letters on my desk and the Premier was speaking. Is this now the official position of the provincial government? Did I outline it correctly? Is that what I am being

MR. S. NEARY: asked to support? Is that why we are being branded as traitors and cowards and less than Newfoundlanders?

MR. WARREN: After us passing a resolution.

MR. S. NEARY: After us passing a resolution in 1975 saying that Newfoundland should own the offshore resources. Is that now the official position of the Newfoundland Government? Is that what we are now being asked to support? And only the Premier, I believe, can answer that. I do not think the Minister of Mines and Energy (Mr.L.Barry) can answer it because, apparently, his interpretation is different.

So let me repeat again, for my own curiosity I would like to find out if this is going to be the official position of the Newfoundland Government: number one, an exchange of letters, an agreement between the

MR. S. NEARY: Provincial Government and the Government of Canada on the offshore resources. Number two, an Order in Council - or you could call it step two - confirming the agreement. Step three - and it was the President of the Council (Mr. Marshall) who raised this some time ago - would be concurrent legislation the same as was done when the resources and the boundary of Manitoba was extended. Step three would be concurrent legislation, that is, an Act passed in this House and an Act passed in the Parliament of Canada confirming all this, the other two steps. And step four, if necessary, but only if necessary, step four would be a constitutional change; that means you would have to get the agreement of all the other provinces for the three steps that I outlined. Now is that the position of the Newfoundland Government? If it is, let them have the courage and let them be man enough to stand up and say so. Then we will know and the people will know what it is they are asking everyone to support. And I am willing to hold an open mind - I do not have an open mind or I do not take sides on the ownership question, because that is already set in my mind. I think Newfoundland should own the offshore resources - but I am going to hold an open mind unless the hon. gentleman can persuade me otherwise on the route that we take to confirm the ownership of the offshore resources.

And I call upon the Premier now, and if he is so cocky about throwing out challenges, I challenge him to tell me whether I am right on, whether I am right off, whether I stated correctly the government's position, or whether the government's position is different than the one that I just outlined. I believe that is very necessary, Mr. Speaker, in order to remove this matter from partisan politics and stop saying. 'This

MR. S. NEARY: one is a traitor, that one is a coward, that one is scared of Ottawa, that one is kowtowing to Trudeau.' Remove all of that, clear away the underbrush, and let us see precisely what the position of this government is, what official position they are going to take when they present their case in writing to the Prime Minister of Canada in the foreseeable future.

MR. CHAIRMAN (Butt): The hon. the Premier.

PREMIER PECKFORD: Most of the debate over the last number of days, I suppose a week now or more, on these Estimates have centred on the whole question of the position of various individuals and various political parties as it relates to the question of offshore mineral resources. And on a number of occasions I have responded to questions that have been put to me by members opposite as it relates to that position, but I thought last day - well, first of all we have, through the Throne Speech and through the Budget Speech, both last year, after the June provincial election, in July and August made our position clear on the ownership question. And that is that the Province, that this government believes that the people of Newfoundland and Labrador should own the mineral resources on the Continental Shelf in the same way that they own the trees and minerals on land, because the Continental Shelf is really only the natural extension of the land mass underwater. In this case, it happens to be salt water. Unfortunately, if it were fresh water there would not be any question about it. What lies under Lake Erie, because it is fresh water, the mineral resources there automatically belong to the Province's, no question about it, but because this is salt water, because it is ocean, somehow or another there is in some quarter some dispute. So what we are saying is, as the Government of Newfoundland and Labrador representing the people of Newfoundland and Labrador, that we own the mineral resources on that Continental margin.

PREMIER PECKFORD: We say that from a legal point of view, and no other province of Canada has the special legal back-up that we have. But even if we did not have that special legal argument we would still argue for ownership of those mineral resources for financial, economic, social and cultural reasons, because there is no way we can generate a lot of cash that we need to pave roads and build water and sewer systems without it. We will stay on the plateau where we are now and hardly ever move and climb up the peak of the mountain of

PREMIER PECKFORD:

progression towards better things. There is just no way for us to do it. Well, that is number one, we are claiming ownership - not only claiming, we believe fervently that we own it. And we have a special legal case because we are the only part of Canada of all the twelve- outside of the Federal Government, outside of the twelve so-called jurisdictions, if you include the two territories- we are the only group. Nova Scotia, New Brunswick, P.E.I. and Quebec and Ontario, Manitoba and Saskatchewan and Alberta and British Columbia and the Northwest Territories and the Yukon cannot make the same legal claim for ownership of mineral resources on their Continental Shelves, if they have any, as we can. Because we were a Dominion before we joined Canada. It was a Dominion of Newfoundland and Labrador joining the Dominion of Canada, and because we were a Dominion, we possess certain particular rights that Dominions possess, one of them being, ownership of the mineral resources on the Continental Shelf of that Dominion. And when we joined Canada, in the Terms of Union there was no relinquishment of those ownership rights. Since 1949, and because recently the Continental Shelf, both the water, marine life as well as the mineral resources on the Continental Shelf and margin has gained a fair amount of prominence around the world, there has been some people in some quarters, especially in the federal bureaucracy, I would say, more than anything else, who say that because you joined Canada in 1949 and because the Federal Government is somehow the senior government of all of Canada including the ten provinces and the two territories, there are certain residue powers or declaratory powers which automatically extinguish any claim that the Province of Newfoundland might have on it, and have taken the position and have claimed, "No, Newfoundland and Labrador, you do not have ownership rights to the mineral resources on the Continental margin; we do, because of our favoured

PREMIER PECKFORD: position under the Constitution, even though in our agreement, in our Terms of Union we did not relinquish our ownership rights, and we were not party to, or a signature to the original BNA Act, in which those declaratory powers or residue powers were agreed to. We have entered Canada under our Terms of Union in which our possession of the mineral resources were not there.

And so, over the last ten or twelve years there has been this kind of dispute going on. We tried, in the early '70's to come to some arrangement as it relates to those. And there was no relinquishment of their claim, of the Federal Government's claim. In all the meetings that we held, the Federal Government were not willing to relinquish their claims to ownership and were not willing to acknowledge ours. They were not willing to relinquish theirs, obviously they were not willing to acknowledge our claim, and so here we remain today in that present situation.

The Federal Government went ahead, though, and with three of the Eastern provinces signed a letter of intent which, at that time, the Eastern provinces agreed to for a number of reasons. One, New Brunswick does not see that it has any mineral resources on its Continental Shelf. P.E.I. did not see that it had any mineral resources. Nova Scotia was not sure at that time; as a matter of fact, it was very dismal, after Mr. Regan, who was then the Premier, a few years before that went in his legislature one day and said, 'We have oil' and put up a bottle of oil before all the legislators there, and there was a great wave of optimism spread throughout Nova Scotia and they thought the millennium had arrived. After that Shell, especially Shell, did a lot of drilling on the Scotian Shelf and found nothing. Most of the wells were duds, they were dry holes and there was a real feeling that there was nothing

PREMIER PECKFORD:

on the Scotian Shelf.

Besides which, they did not have and do not claim to have the same special legal substantiation that the Province of Newfoundland has. So they signed a letter of intent to sign something more substantial later whereby - the letter of intent was not that specific - whereby all the ownership rights to the mineral resources on the Continental Shelf of those three provinces was owned by the Federal Government, but that they were willing to share in the revenues, or royalties, I think the word was, the royalties, 75-25, seventy-five to the province, twenty-five for the Federal Government. But it never defined what royalties meant. Who was going

PREMIER PECKFORD: and what royalties meant. Who was going to control the rate of development? Who was going to decide on who got the jobs? Who was going to decide on where the industries were going to be? The final authority rested with the federal government. And up to this point in time that is where it led until Mr. Clark became the Prime Minister of Canada. When he became the Prime Minister of Canada, after negotiations with us, we entertained or entered into an exchange of letters agreeing to four principles, and those four principles were, one, that the federal government from this day forward will relinquish its claim to ownership of the mineral resources on the Continental Shelf off Newfoundland, a natural extension of Newfoundland under the ocean. Relinquish its claim to it: And that is the quickest way, you see, Mr. Chairman, if people really want to co-operate, it is a very quick way to do it. If I claim that house downtown and you claim it, and we got to get on to building or renovating that House and it cannot be done until ownership rests in one or the other, and I really believe that you should own it - myself and the hon. member for Terra Nova (Mr. Lush), we are disputing ownership of a house downtown and in order for the occupants of that house to really live in common decency, to live with some degree of respect and be able to hold their heads up high as they look forward to the future, one of us got to own it. The both of us cannot. or no renovations can take place in that house. None. And I am preceived to be the larger, more powerful person in that claim. The hon. member for Terra Nova (Mr. Lush) represents more or less the Newfoundland position and I represent the federal position. And it is absolutely essential that something be resolved on in order for the workmen to get in and get on with renovating that house so that the people in that house can live with some decency and respect. The quickest way, if I am really serious in my heart and soul in helping out the hon. member for Terra Nova (Mr. Lush), if I really want to help him, am I going to take him through a court battle and through the most tortuous pathways, meandering this way and that to make it more difficult for the hon. member for Terra Nova (Mr Lush)

PREMIER PECKFORD: to get on with the job of making the people in that house more decent, to give them a better livelihood, to give them better services in that house? If I really want the member for Terra Nova (Mr. Lush) to have total and absolute ownership of that house, all I have to do is say, in a letter or whatever, to the hon. member for Terra Nova, 'I relinquish any claims to the ownership of that house and we will work out an agreement.'

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: I will relinquish - that is quick. That is the first thing to do, in writing. Mr. Chairman, I have two minutes left and I would like to finish in silence. I tried to be quite while the hon. member for LaPoile (Mr Neary) was speaking, and I expect the same courtesy extended to me.

MR. CHAIRMAN: (Butt) Order, please!

PREMIER PECKFORD: So that is the first step. Now I understand, Mr. Chairman, I am not that foolish to think that that is going to stand up in every court in the world, that that is the end-all and the be-all. Even though I have signed it, I put my name to it, I put my person to it, I put my whole reputation on the line, it is signed, something that is signed by me, that is pretty important if up to that point in time I had claimed ownership of that house. That is pretty important. I think the member for Terra Nova would even crack a smile if I gave him that letter saying to the member for Terra Nova (Mr. Lush), 'I do not now anymore claim any ownership rights on that house that we have been fighting over, member for Terra Nova.' And then I will go further than that and say, 'Therefore you have the same rights over that house as you do over other rights that are on land.' And then furthermore - I will not stop there, I know the member for Terra Nova might not be totally happy with that, he might only be forty or fifty per cent happy with that, but I want to make him one hundred per cent happy so that in the future there will be no doubt, nobody can come against us in the future, so I can go on from that and say to him, 'Now then, seeing we have that cleared out of the way to all intents and purposes, my intent is clear, I signed my name to it, but now

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PREMIER PECKFORD: I want to substantiate that letter, I want to substantiate that relinquishment of claim on my part and substantiate that acknowledgement of claim on your part, to move on from there to a formalized agreement between the governments, a formalized agreement signed by both levels, signed by me, signed by the member for Terra Nova (Mr. Lush) -

MR. CHAIRMAN: (Butt) Order, please!

PREMIER PECKFORD: - and Orders in Council by both levels of government -

MR. CHAIRMAN: Order, please! The hon. the Premier's time has expired.

SOME HON.MEMBERS: By leave.

MR. CHAIRMAN: By leave.

PREMIER PECKFORD: And then the other steps that follow therefrom as contained in that exchange of correspondence and constitutional change if necessary. That is the quickest -

AN HON.MEMBER: .(Inaudible)

PREMIER PECKFORD: That is what I said last week, and I know that the member for LaPoile (Mr. S. Neary) was listening to me. And those letters are public; that is what we said in our letters as exchanged with the Prime Minister.

MR. S. NEARY: Now we have a position.

PREMIER PECKFORD: The government has always had a position, Mr. Chairman.

MR. S. NEARY: No, it has not.

PREMIER PECKFORD: The government has always had a position. That position was clearly outlined in the four principles that were agreed to by the Prime Minister of Canada and the Premier of Newfoundland.

MR. S. NEARY: Okay. Well now, good luck to you.

PREMIER PECKFORD: That is concrete, that is tangible, that is physical, that has been publicized everywhere.

MR. S. NEARY: Take your position now and God bless you! Good luck to you, that is all I can say. You do not need me to get up and say I am for it.

PREMIER PECKFORD: I need everybody to get up and say they are for it.

MR. S. NEARY: You are governing. We are not the government, you are the government. Now take your position to Ottawa.

PREMIER PECKFORD: Mr. Chairman, I understand we do not need the hon. the member for LaPoile, as everybody knows in this House.

MR. S. NEARY: If you think you are right, the government's position is right, then God bless you, good luck to you, you are on your way.

PREMIER PECKFORD: We will begin next week on that pathway. And I have no preconceived notions about it and I am trying to do it, Mr. Chairman - if anybody notices my comments, ever since the new government got in office, I have been tried to be extremely careful; I have tried not to prejudge anybody on it.

MR. STIRLING: Well, you just heard the minister.

PREMIER PECKFORD:

That was in response now, let us be fair. Let me finish.

MR. S. NEARY:

In response to a threat to (inaudible).

PREMIER PECKFORD:

That was in response not only to a question but in response to an alleged statement made by the Prime Minister, and I do not know if the Prime Minister made it or not.

MR. S. NEARY:

The Daily News is your authority on that now, is it?

PREMIER PECKFORD:

It is not our authority, no. Let us not get bogged down on that - that is in the heat and thrust of debate during questioning; that is fine and dandy. There is no problem with that. I am not going to get down into that. All I am saying is that we have outlined in writing where we stand. We agreed to a certain course of action - we claim ownership, they relinquish their claim, acknowledge ours and then start a process in motion. And I have talked to all the oil companies and they are quite satisfied with that kind of an approach. They have no problems whatsoever with it, their legal beagles or anybody else as contained in those corporate offices in Chicago or New York or Calgary or Toronto. They do not mind. They do not care. Their greatest fear is something like the Minister of Mines and Energy (Mr. L. Barry) related during Question Period, that down the road - right now it is not a serious problem, but if in fact by the end of December or next January or something, it is firmly established that based on this price for oil this particular deposit is economic and they are going to want to develop it and they are going to want to raise money so to to. And they will not be able to raise money if there are two levels of government claiming certain amounts of royalties out of it totalling about 105 per cent or 110 percent of the revenue. In other words, they will have to raise additional money to pay even the revenue. So that has to be cleared up.

But a process has been established, agreement has been reached on the principles, and we will pursue it in that light starting next week.

MR. S. NEARY:

That is right. Go up to Ottawa.

PREMIER PECKFORD:

Yes, we will be doing it.

MR. S. NEARY:

Well, what are you waiting for?

MR. D. JAMIESON:

Mr. Chairman.

MR. CHAIRMAN (Butt):

Order, please! Before I recognize the next speaker, I would like to welcome to the galleries on behalf of all hon. members, the Governor of the Kiwanis Club for Eastern Canada and the Carribean district which includes all clubs from Sault Ste. Marie to St. John's, Newfoundland to the Bahamas, Mr. Eric Ellis, his wife and guests. I trust your stay with us will be rewarding and informative.

SOME HON. MEMBERS:

Hear, hear!

MR. CHAIRMAN:

The hon. the Leader of the Opposition.

MR. D. JAMIESON:

Thank you very much, Mr. Chairman.

I welcome the initiative, first of all, of the member for LaPoile (Mr. S. Neary) and the response of the Premier, because it seems to me, as I have said repeatedly, that I hope the Premier is - if he has to go then there is not an awful lot of point because I have a number of questions for him. I do not know if the hon. the Premier has to go.

PREMIER PECKFORD:

Just for a second but I will be back.

MR. D. JAMIESON:

Let me say that I welcome it and I hope, as I said yesterday, that we can deal with this matter in a very reasoned and sensible way, because I do not suppose there is anything that is of greater importance or has been for at least many, many decades insofar as Newfoundland is concerned.

My own position is unique, I believe, among members of this House. I was present for all of the negotiations of the Terms of Union between Newfoundland and Canada. Nobody else can make that claim insofar as at least sitting members are concerned. I was not a member of the delegation, but as hon. members will recall I had a very close association with Mr. Ches Crosbie and I was, in a way, working as an assistant to him and was familiar on a day to day basis with what was happening. I make that point because historically the Premier is correct, there was no relinquishment of whatever we possessed at the time of Confederation.

MR. JAMIESON: There was no relinquishment of it other than in those cases where we clearly spelled out what it was that we were relinquishing, and among those things were such things as the railway and the like. But on the offshore issue, to the best of my knowledge, I do not believe a single solitary syllable was uttered during the prolonged and endless talk in the negotiations on the question of offshore. And I believe also than an historian might well discover that in the year and several months of the national convention which preceeded the negotiations, again I doubt very much if it came up. And of course the reason was perfectly logical. At that stage in the game I am not sure it was going on anywhere in the world, but certainly nobody insofar as Newfoundland was concerned, or I suspect in Canada, was thinking in terms of this. There is a lesson, by the way, for all of us in that in terms of the future, is that sometimes the things you think are inconsequential, will certainly come back to haunt you after the fact.

Therefore, I have never had any problem intellectually or emotionally in saying that the argument as set forth by the Premier with regard to "ownership" is clearly on our side. I think there is no doubt about that and I believe successive governments, long before I entered this Chamber, of all parties, have in fact reaffirmed and reasserted this whole question of ownership and have said that, of course, insofar as Newfoundland is concerned that is where it is.

Now having just put in that bit of background, let me go on to say that I have, since the issue has come alive, and that has only been a matter of ten years or so, maybe ten, eleven or about that - 1958 or '59 or -

MR. NEARY: '65 it was.

MR. JAMIESON: '65. Even as late as '65. Since that time of course the whole range of issues has come up and it is interesting that the Premier again made a point which has been bothering me, and which I would like if not here then in the briefing sessions which I welcome, and incidentally I think also that had we had these a month or so ago a lot of the kinds of things we have been discussing, and I suggest to hon. members opposite the question I am asking is a legitimate one, and quite an interesting one. The Premier has made two points today. I have said in the first instance that on the question of ownership that I believe, I believe that that is a sustainable case. It is a sustainable argument. And incidentally I would question, I do not remember whether I ever said it publicly or not, but I will say this, that there is nothing in any of my comments in public life to the contrary at any time, not at any time, nothing to the contrary at any time -

MR. NEARY: Right on.

SOME HON. MEMBERS: Hear, hear!

MR. JAMIESON: - on the question of ownership.

Now let me then take the second part of what it was that the Premier had to say this morning, and it was quite interesting once again. It was quite interesting because it really is a key point here. And he made the point that Newfoundland's case is better, that Newfoundland's case is unique, and that again I accept. I think there is a vast difference between the arguments that you can make on behalf of Newfoundland, whether you have to make them or not is beside the point. I mean if it came to what the hon. Minister of Mines and Energy (Mr. Barry) said today, a court case, I would far rather be carrying the brief for Newfoundland than I would for let us say Nova Scotia for all manner of historical reasons.

Now therein lies a very key question which I am asking, a very key question which I am asking and I am asking it

MR. JAMIESON: for information purposes. Is it better for Newfoundland for instance, to pursue a unilateral course in its discussions with the federal government and to do it outside the framework of constitutional change and reform? Is it better for it to do it that way than to go what I suggest in essence is basically the position taken by former Prime Minister Clark, and that is that he was seeing it as part of a rather comprehensive constitutional change package in which, in effect, the effect would have been to put Newfoundland in the same position as all of the others. I quote from his letter because I think it is worth calling to the attention of members.

By the way I find it passing strange that we discuss a lot of these things repeatedly in this House without really going to the source of the material and therefore there are both unintentional and ill informed comments.

Now Mr. Clark says in his answer to the hon. the Premier, "As you pointed out during our meeting, the strong feelings which Newfoundland has expressed on the offshore mineral resources issue down through the years have flowed from its history." Now that is true, and it has been a - virtually a universal position. But he goes on to say, and this is the question I would like to ask and I am laying the ground work for a specific question, "It is fitting, therefore, that I confirm to you the adherence of the Government of Canada to the principles enunciated ! To that extent he is talking about the Newfoundland case and the historical claim and so on which the Premier has quite properly outlined.

Now he goes on, "At the same time, however, I wish to take the opportunity presented by the publication of our exchange of letters to

MR. JAMIESON: confirm that the Government of Canada is prepared to see the principles applied to the resolution of the offshore issue with all the provinces concerned." Now that is, I suggest, a different kettle of fish altogether."

Mr. Chairman, I think the worst disaster that we could possibly have is the supreme negativism of the Minister of Mines and Energy (Mr. Barry) and I say quite frankly that if he will not listen to a straightforward question without immediately rejecting before I get to the nub of it, then it is not worth trying to talk about in this House, and the briefing sessions will not go well. What I am asking is a very simple question, is Newfoundland proceeding on a unilateral basis? because if it is then I believe it has a far better chance of an early resolution of this problem. I believe there is a strong body of opinion, indeed I know that there is legal opinion within the Government of Canada which says that yes, Newfoundland's case is strong, stronger than anybody else's. Now, I ask, have members opposite, and has the Premier in particular opposite, thought about the potential dangers, if you wish, of what I see as being the approach proposed originally by Mr. Clark, which says, "We are going to do it for you but we are also going to do it for everybody else?"

Now, if I read him correctly, if I read him correctly, it would seem to me that we would then be in the position where the issue could not be resolved until it had been resolved totally and nationally and that, by the way, involves the territories, it involves native land claims, a whole range of things which are of no concern to us in terms of the specific and unique nature of our position, first of all stated, I believe in this House, by the hon. the Leader of the Privy Council (Mr. Marshall).

So I will not carry it any further than that at this point of whether or not, for instance -

MR. JAMIESON: perhaps if I phrased it this way it might even receive a sympathetic awareness on the part of the minister that I am asking for information.

MR. BARRY: You were in the Federal Cabinet when Mr. Trudeau rejected our position and you should have known then what the situation was.

MR. JAMIESON: Mr. Chairman, you see that is the kind of what I honestly think -

MR. BARRY: The odd guy.

MR. JAMIESON: - I honestly think it is a cheap shot -

MR. NEARY: Do not be so low boy.

MR. JAMIESON: - and with respect, if there was time I could argue that the position was not -

MR. NEARY: You were in the Moores Cabinet.

MR. CHAIRMAN (Butt): Order, please!

MR. NEARY: You were in the Moores Cabinet when the (inaudible) took place.

MR. JAMIESON: The position was not rejected. The position, I repeat, was not one of rejection and incidentally I should in parenthesis here, the hon. the minister was out of the House, I am doing my very best here to try to be reasonable and rational and to try to ask some questions.

MR. NEARY: - no respect, interrupting.

MR. CHAIRMAN (Butt): Order, please! The hon. gentleman's time has expired.

MR. JAMIESON: By leave?

MR. CHAIRMAN: By leave, yes.

MR. JAMIESON: I was about to say and I will not take very much longer on this -

MR. NEARY: You were in that Cabinet.

MR. CHAIRMAN: Order, please!

MR. NEARY: (Inaudible)listen and (Inaudible)

MR. CHAIRMAN: Order, please!

MR. NEARY: He has been slighted.

MR. JAMIESON: Mr. Chairman, I was about -

MR. CHAIRMAN (Butt): Order, please! The hon. the Leader of the Opposition has the floor.

MR. NEARY: Yes. Anytime.

MR. CHAIRMAN: Order, please!

MR. NEARY: Yes. Sure. Anytime.

MR. JAMIESON: Mr. Chairman, I wanted to -

MR. CHAIRMAN: Order, please! The hon. the Leader of the Opposition has the floor.

MR. NEARY: I was tempted by the hon. gentleman, Mr. Chairman.

MR. CHAIRMAN: Order!

MR. JAMIESON: I was about to say, Mr. Chairman, that the Premier used an expression in his remarks a few moments ago which has a bearing, incidentally, on some of the asides which the Minister of Mines and Energy (Mr. Barry) has resourced to, that the joint communique relating to the signing with the Maritime Provinces, does not in fact - they do not relinquish, and I believe that was the word he used, their ownership. What it says, basically, is that the governments of the three provinces concerned, and the Government of Canada, 'setting aside jurisdictional differences; There was no requirement nor was it ever spelled out that they had in a sense said, "Okay, we do not own them." It was set aside for that purpose. But my question is really this, unless I missed something completely and I have read the things thoroughly, there is a significant difference between the four points as written by the hon. the Premier and the four points as spelled out by the former Government of Canada. Now, I may be mistaken in that. I suggest that there are - if there were time I would go over them. What I am saying is this, is the government's position one in which they would be prepared to take the Clark version of the four points, as

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MR. JAMIESON: opposed to the four points as written
initially by the Government of Newfoundland and signed by the
Preimer.

 In other words, are you agreeable to,
is the government agreeable to the particular formulation as
spelled out by Prime Minister Clark and the order of

MR. D. JAMIESON:

going. Now if that is the case, then I think that gets a lot of other underbrush out of the way, and then I would like to ask some specific questions about the differences in the two. I hope I have tried - I know I have tried - I hope I have succeeded in saying that this is a question with me that is worrisome and I am - I have seen - if I may be permitted another moment, let me say by way of totally non-partisan experience, that there is a real danger, it seems to me, for us, And the Premier and I agreed on it yesterday with regard to negotiations on behalf of DREE, there is a real danger in getting this thrown into the totality of constitutional reform. Because I believe that it will be a prolonged and very difficult process and I suggest that really that is the implication of Mr. Clark. Now if I am wrong, I would appreciate it if the Premier or someone else would tell me so.

MR. CHAIRMAN (Butt):

The hon. the Premier.

PREMIER PECKFORD:

This is one of those times when I would almost like to see every Newfoundlander either in the galleries or we would have T.V. in the House to ensure that the whole debate of this was clear to all Newfoundlanders. Because where the great difference - and I am glad the students have stayed in the gallery to listen to this; I hope they will remember it for years to come and mark it down in their diaries, the day they were in the House, because it might be much more important for you people in the galleries than it is for anybody here.

If I understood what we both said in the last hour, I think what I am saying is that under what we had agreed to with Mr. Clark, there was agreement in principle, and what the hon. the Leader of the Opposition is doing is arguing about the way after the principle you make that stick. So to me - and I noticed the Leader of the Opposition's remarks first when he got up when he said, 'I believe we have a good case,' and I think a lot of the members on the Opposition side rapped their desks, the Leader of the Opposition did not say, 'I support' - I noticed his verb, 'I believe we have a good case.' I did not hear the Leader of the Opposition say any time through his speech, 'I support' our claim of ownership of the mineral resources on the Continental Shelf, for example. He believed we had

PREMIER PECKFORD: a good case. And that was supposed to imply to his members opposite and to everybody in this House that he supported our ownership aspirations and our claim for ownership on the Continental Shelf. Now, I do not know if the Leader of the Opposition actually supports or just believes we have a good case, and I would like to know, talking about questions, whether the Leader of the Opposition actually supports the contention that we own the mineral resources on the Continental Shelf. That is very important.

MR. CHAIRMAN (Butt): The hon. the Leader of the Opposition.

MR. D. JAMIESON: If it will clarify matters for the hon. member - and forgive me for interrupting - of course I support the - I have forgotten what the exact words were -

PREMIER PECKFORD: The ownership.

MR. D. JAMIESON: -the contention that we own it. I support that. What I am concerned about is the technique or the method through which we get that confirmed in an irrevocable way.

PREMIER PECKFORD: Okay, but do you not think that if the other side, who has been claiming the same thing, relinquishes that claim and acknowledges ours, that that is one major step out of the way, and that now all that needs to be done is to confirm for all time - it is done for this time, for this day, for this week, for this year, so that nothing inhibits ongoing development?

MR. BARRY: For this (inaudible) government.

PREMIER PECKFORD: Yes, for this - I mean, it is written, it is signed. And a constitution or any other document is only a piece of paper too, on which somebody signs something. Now, in constitutional history and the history of us as people, the word 'constitution' has taken on a lot more meaning because it has covered the operations of a whole human society rather than individuals. But it is of no greater importance in law, as I understand it, or in validity or in truth. A piece of paper written and signed by the partners is a piece of paper signed. Now you can call it letter, you can call it agreement, you can call it constitution. I agree now that there is some difference in it because of our history. So we move on to see how we can -

PREMIER PECKFORD: but the main hurdle is over. The principle has been relinquished, the principle has been won. I intend to go in the water, I intend to go in the water just to question how I am going to swim but I have the water. I am in the water. I have the house. Renovations can begin because the letter between the two parties who were both claiming the same thing is no longer there. The dispute on principle is over. I now own the house. The question then arises, and it becomes rather academic, as I have said over and over again, how can we insure that that kind of principle already done by letter can be confirmed for all time, perpetuity, infinity, for all societies from this day forward when we are gone and somebody else is here and they are gone and somebody else is here. Always realizing that even "constitution" can be changed, even the highest thing still can be changed.

MR. JAMIESON: It has not been in seventy years, not in this context.

PREMIER PECKFORD: Not in this context, but it has been changed and amended. Constitutions are changed and are amended. So even if it was enshrined in the constitution tomorrow, it does not give us absolute and total certainty that for all time we are going to have it. It does not because that can change to. But I make the distinction between one claim having being relinquished and another one acknowledged as a major breakthrough because now there is only one claim there, ours, and it has been acknowledged by the other party. Now the question is one of methodology. What is the best way to enshrine this for all time? And we had agreed upon a process. Now, it is quite possible that doing it in the context of all the other provinces because Mr. Clark had a different concept of how he wanted to see Canada go than Mr. Trudeau. Mr. Trudeau wanted a fairly centralized one and Mr. Clark said, "No, I think that it should be more decentralized and these natural resources on the Continental Shelf, too, should be part of the provinces in the same way as the trees are and the minerals are on land, that there is really no difference. He had a different concept of it

PREMIER PECKFORD: and that is why he was willing to take in, or put it in the broader context of constitutional debate. Now it is a question we will have to decide upon but that process seemed to be a good one. Now I do not want to prejudge the process. The Leader of the Opposition might be correct in saying that but it does not endanger the principle you see. What the hon. Leader of the Opposition is saying is, because you go with the other provinces towards constitutional reform you are going to - it is dangerous because you might not get or have the mineral resources on the Continental Shelf. But that does not follow because the principle has already been agreed to. It is the question of just working out whether that is going to be a long process or a short process. It is no question that you own it because the other agreement has already relinquished that, given you that. So the question, you see, that I would put to the Leader of the Opposition - he has got the methodology tangled up with the principle. He is still arguing in the methodology that we do not own it but we do because that has been agreed to, in the first stage, by the exchange of letters and so on. So what we have to get, first of all, from the federal government, the new federal government is that that they are willing to honour those commitments that were given on principle, the principle that they no longer claim ownership to the mineral resources on the Continental margin and that they acknowledge ours. Now the question is one of working out. And the Leader of the Opposition might be right, that it might be better to go in our own right bilaterally with the federal government to do that and get that quicker because of our special case rather than go the other route. I am not upset by either way. I am open on that point, on that methodology of making sure that that is enshrined for all time but the important thing is that the principle has been agreed to, that there is only one claim outstanding and that has been validated by an exchange of letters. And now the question is just one of enshrining that for all time and what is the best way to enshrine that for all time or to make that "permanent"? That is the question. What is the best way to make this permanent? To this point in time we do not know, and we

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PREMIER PECKFORD: shall know very soon, whether the new federal government will not claim ownership to the mineral resources on the Continental Margin . We do not know whether Mr. Trudeau and his government will honour that principle that Mr. Clark enshrined in the letters, 'We no longer claim it. Your claim is valid . That is uppermost. That is paramount. That is supreme. That is the principle. And then after that, the methodology-and the Leader of the Opposition might be right on the methodology there, I do not know. It depends. But I would suspect, and I think the Leader of the Opposition might agree, that up to the point of the federal election in which Mr. Clark became the Prime Minister there was a fair amount of substantial discussion and substantial movement on the whole question of constitutional reform. And I would like to think that as a result

PREMIER PECKFORD:

of the referendum on May 20th, regardless if the 'yes' win or the 'no' win, because I do not think it matters in that sense, that there is going to be a substantial because, Mr. Chairman, if the 'no' win, and let us take it that one step further, and Mr. Ryan becomes the Prime Minister of Quebec, his beige paper in no way resembles what up to now Mr. Trudeau wants to see, as it relates to the relationships between Ottawa and Quebec City. And so there is still going to be a lot of acrimony and conflict and debate between those two levels of Government, Quebec and Ottawa, so that in any case, therefore, all I am saying - I am trying to make a point - so that in any case the impetus for substantial constitutional reform is to be there after May 20th, and hence this process of going with the other provinces, if, in fact, the Federal Government will acknowledge provincial control unilaterally for all the provinces over the mineral resources on the Continental Shelf, can see itself being clearly changed to reflect that quickly because of other extraneous forces which now have come to bear to help that process along.

So, it might not be a slow process and it might not be against our best interests so to do. But if the principle is established, and I no longer make claim on your house, then the member for Terra Nova (T. Lush) is away and laughing to renovate and to insure that the people in that house are going to have it better than they have it now. And that is the important point. Methodology is important - no question, but far more important is whether court battles dealing with the principle, are going to be in vogue or not. That is the big one. And that is the one that I am saying that the first - the Prime Minister of Canada can do one beautiful thing, as Mr. Clark did, and we can work out the nuances of the phraseology and all the rest, is to say that the ownership of the mineral resources on the Continental margin are owned by the Province of Newfoundland

PREMIER PECKFORD: in the same way as they own the trees,
and that removes a lot.

Now, let us work out to make sure that that is enshrined for all time. But, in the meantime, we can do an awful lot - we can do an awful lot in the meantime because it is there, and it is in writing, and it is just as enshrined then for that interim period as if you had the constitutional change. Then you move towards that and whatever is necessary to do, see that it is done. I mean, to me that is simple common sense and makes for a very orderly progression of things to ensure that our ownership - that we can get on with the job of developing the oil and gas. I do not see any problem there.

But, let us not confuse the principle of ownership claim. All they have to say is, 'Look, we do not want it, and we think you should have it.' And we will say, 'Hurray! Hurray! Hurray! We always said we wanted it and now we got it. Thanks a million! Now, let us sit down and try to work it out.'

MR. CHAIRMAN (Baird): The hon. the Leader of the Opposition.

MR. D. JAMIESON: Well, once again I think that the exchange is useful. I have a couple of more questions because I do not honestly think that - I would give him full marks for saying it was not intentional-but he did not answer, the hon. the Premier did not answer my question with regard to the two sets of writing which enshrined the so-called four principles, and I will come back to that in a moment.

But let me say that I think there is a certain - it would be naive on my part to suggest or to think that an exchange of letters, even between two First Ministers, is of itself of any really great consequence. I think the proof of that is that this exchange of letters is clearly, in the space of five months, made irrelevant. Therefore to say that there is something to be gained by simply having whoever the Prime Minister is, or whoever the Premier is write each other and say

MR. D. JAMIESON: 'Yes, we agree on this process and this is the way it is going to go; that is a very tenuous base.

Now, granted, I am not going to quarrel that it is perhaps a movement in the direction which the government of Newfoundland wants. I doubt very much if it has any real influence insofar as, let us say, the companies or the like, the people who are going to have to provide funds and so on are concerned. They would scarcely do it on the basis of this.

The second point I wanted to make was again, perhaps, a rhetorical kind of question but it is a question nevertheless. There is now a situation where Nova Scotia, where Nova Scotia is, I believe, asserting what is, by and large, the same kind of claim, basically the same kind of claim. I do not know, I have not ~~seen~~ what the background to it is, but I am told that they say they own the resources on their Continental Shelf -

MR. L. BARRY: Are you saying the agreement you went into with the Maritime Provinces while you were in Cabinet meant nothing? The Maritime Provinces Agreement meant nothing?

MR. D. JAMIESON: Well, it obviously did not mean anything insofar as the Premier of Nova Scotia was concerned.

MR. L. BARRY: What about as far as you are concerned?

MR. D. JAMIESON: All it did - I have a copy of it here - was it spelled out certain principles and then said that there was to be detailed discussion upon that following this signing of a sort of general position.

MR. L. BARRY: Did that mean anything?

MR. D. JAMIESON: Clearly it does not mean anything, Mr. Chairman, to the Government of Nova Scotia which has said now it is going to repudiate this.

MR. L. BARRY: To you? Did it mean anything to you when you were doing it as a Cabinet minister.

MR. D. JAMIESON: Of course, it was a useful step forward insofar as the context at that particular time, was concerned. And, by the way, it was decided - I think that we are talking here methodology - I think it is exactly the same kind of thing we are saying now. The only difference was, I suggest to the hon. member, that it said 'setting aside jurisdictional questions' not repudiating, not giving them up one way or the other, just saying, 'We are not going to do that but what we will do is we will start to talk about a method whereby we can get on with the job.' Now, I think the hon. minister has, in a sense, confirmed what I was saying a moment ago because even though it was an agreement, even though it was considerably more than an exchange of letters, it was, in fact, an actual signed agreement, it was and has been now repudiated by Nova Scotia.

MR. D. JAMIESON: But the question that I would like to ask is, for instance, suppose, as I understand now is the case, Nova Scotia is making the same claim, this is the way I understand it, that they, in fact, own their Continental Shelf and therefore they - I am not sure if they used the word 'own' or 'control' or 'manage' or whatever, - but in any event, the question is, really, what would the Government of Newfoundland do? Is it supportive of the Nova Scotia case? And if it is, on what grounds is it supportive? Or is it saying that the Federal Government, for example, can quite properly say that the situation between Newfoundland on the one hand and Nova Scotia on the other is substantially different? Now, that is a very gut issue. Because if we are going to go the route which was outlined initially, I believe, in this series of comments over the weeks, by the President of the Privy Council (Mr. Marshall) with regard to the historical situation, and again repeated this morning, then surely Nova Scotia cannot make that case. Surely they cannot make that case because they were not a dominion. Also, the doctrine with regard the Continental Shelf was not, in fact, enshrined and it is conceivable, in fact, I suspect it probably is quite possible, that legal opinion would say that the Newfoundland situation and the Nova Scotian situation are vastly different.

Now, are we then - I repeat my question - prepared to go unilaterally or do we judge? Is our legal judgement that we should go unilaterally because of our special circumstances or are we going to say, 'Our brothers in Nova Scotia have the same kind of claim and the same kind of rights'? Because clearly this is going to come up. If, for instance, the hon. the Premier makes representations, as he has said he will, to the government in Ottawa - and let us take a hypothetical situation in which they say, 'Well, yes the Newfoundland case, we are prepared to look at that because Newfoundland is different, New-

MR. D. JAMIESON: foundland has all of these historical things on their side, but there is no way that we can make the same argument for relinquishing rights for Nova Scotia. And they would unquestionably point out as well that in New Brunswick they have said they think the arrangement is all right. So, therefore, to me it is an absolutely key question as to whether we go on this basis of our special status or whether - and I really do not think it is methodology, I think that it is considerably more than that, in Mr. Clark's proposals, and I will not take the time to read it but I hope other members will. He says it must lead to constitutional reform, it must include everybody. It also emphasizes the particular difficulties with regard to that huge offshore that is in the territories. Those things are not methodology, those things are very real in terms of this whole question of having a

MR. D. JAMIESON: meaningful input, or whatever words one wishes to use, with regard to the Newfoundland situation. So I suppose what I am saying - and quite honestly, if the Premier would rather say in camera or in the briefings we are going to have rather than get into this in this way, I am content because it seems to me that the future of Newfoundland is a lot more important than either cheap shots or trying to attribute motives or anything of the kind. But I hope the hon. House will give me some credit for some experience. And I know that if we are going to say that it really does not matter what happens with the other provinces but we are prepared to do it under the constitution rule, do we want Canada to acknowledge for Newfoundland only or do we want them, as Mr. Clark did, to say that as a matter of policy he is going to go in the opposite direction? Now I really suggest that this is a key point and it will make a tremendous difference, it seems to me, in how the strategy is formulated. And, indeed, it could have a significant difference on the outcome.

It is complex, but I am sure the Premier has been living with it for a long time. I am not the slightest bit interested in being argumentative but I hope that he has understood the gist of the questions that I am asking.

MR. CHAIRMAN (Baird): The hon. the Premier.

PREMIER PECKFORD: This is one part of it which I have always tried to maintain - it is very difficult in a short period of time like on a T.V. interview or in times when we have had to do it - to try to show our reasonableness. Now, in the same way as when we began in 1973, 1974, and then developed it because of our own special legal case and we came to a point of principle on ownership, which is to me - without that it is no good to talk about it at all at this point in time - I think the same thing applies here. We are prepared at this point in time, if the federal government shows its interest and its desire to move through the normal constitutional reform framework, to do it. Now, if six months or twelve months from now there is no substantial movement on it and they are really trying to delay the matter of making the principle stick, then I think we would - I am just trying to be reasonable in the process, in the methodology - and it is not going

PREMIER PECKFORD: anywhere, well, then I think we would say, 'Well, okay, if this is the way you are going to do it, we have another little bullet in our gun here that you have already known about that we can say, because of our special legal case, that we can also make that special - not only as it relates to giving us the principle as you did, but also in negotiating it through to enshrine it permanently. But we are trying to be reasonable and rather than have a side group just dealing with Newfoundland and trying to get constitutional reform and then everybody else is lopped in there, we will go in with the group for the sake of trying to do it reasonably, but if, after six months or a year, that proves to be an untenable position from where we stand, because they are just not moving it, and the dangers that the Leader of the Opposition refers to actually come about, that they are really dragging their heels, well, then, we will say, 'Look' - and we will go into it under that basis - we will say to them, 'We are agreeable to the larger framework and the larger forum on condition that you recognize that we could have gone the other way, and might even, at some point down the road, have to do that, and to take a different position if, in fact, the movement is not at the speed and in the nature which would give quick and speedy resolution to enshrining that permanently for all time.' I think that is the approach I would take. I would try to be reasonable on it, fully recognizing -

MR. JAMIESON: (Inaudible) I think that (inaudible)

PREMIER PECKFORD: Exactly.

Now, if when we sit down - for example, you know, I do not want to prejudge it again, the principle is all important to me now - then let us sit down; okay, if the present government agrees to those principles the first thing that has to be done is we have to sit down and there have to be some real heavy talks then, early on, before we get to the business of putting it into the constitutional framework. And that could last for five or six months because of the impact on equalization, the impact upon a whole bunch of things. The new financial agreements are coming up in 1982, for example, as the Leader of the Opposition knows. So there are a lot of particular important - each one of these,

PREMIER PECKFORD: . . . which seem small now in the context
in which we are talking, but are very, very important- and we find that
there is a lot of digging in on that, well, then we are going to have to
say, 'Well, if you are digging in on this, which is just to give safety,
environmental, financial Right' in the formalized

PREMIER PECKFORD: agreement to the principle, there is no point of us going and putting this through the normal constitutional framework being processed because look, you have demonstrated beyond any shadow of a doubt that you are dragging your heels on this part of it, what are you going to do when it gets into this? So we will go the other route! So I am not going to prejudge. All I am saying is now, one step at a time and the first step is the principle step, a-l, and l-e, and when that is enshrined let us sit down. And I think, Mr. Chairman, it is fair to say that we have demonstrated our desire that if it is not working fast enough - I know I have personally, for my part over the last number of years, I am not the most patient person in the world when it comes to bureaucracy and not seeing things done - that we will soon say, "Okay, you have shown to us over the last six months that you are not demonstrating any speed for us to move, to get this enshrined, we have a special point here so we are not willing to go along in the general framework anymore, we want to go specifically for us because we have always had that in our bag anyway. But we have tried to be reasonable and we are not able to be." And then that one becomes a very credible action then for us to take.

MR. JAMIESON: (Inaudible) still think that (inaudible)

PREMIER PECKFORD: Yes. Well, no question. Like I am saying I am not ruling it out.

MR. CHAIRMAN (Baird): The hon. member for Grand Bank.

MR. THOMS: Mr. Chairman, I have listened with interest to the comments made by the Leader of the Opposition (Mr. Jamieson), and the Premier in connection with this matter. There are a few things that still confuse me, that are difficult to grasp. I think I would like to repeat, of course, that in my view, and I cannot pass up an opportunity to make this point, that in my view Newfoundland does own

MR. THOMS: the offshore resources.

I also believe that if there is any doubt as to who owns the offshore resources - the federal government I am sure has had legal expert opinion on the matter. We know that our own Newfoundland Government has spent something like \$600,000 to determine its legal position. I believe that as far as the federal government is concerned, where we do have a claim it should be resolved in favour of Newfoundland. But there is one thing missing out of the arguments. They talk about the federal government giving Newfoundland and relinquishing the federal government's claim to the offshore resources, Mr. Chairman, I do not believe that the federal government has any claim to the offshore resources. I do not believe they do anymore. You know, I believe I own my house on Falkland Street. I believe that this Province owns its offshore resources.

But the point is, Mr. Chairman, the point is this, a technical point, that the federal government, basically, is the custodian for all the Canadian people, for all the Canadian provinces, that if the federal government does have a claim to its offshore resources, it cannot just say to the Newfoundland Government, or the Newfoundland people, or this House, "It is yours". They cannot do it. That is a fallacy in Joe Clark's so-called formula. Because if the federal government has a claim to the offshore resources then it has that claim on behalf of Nova Scotia, New Brunswick, British Columbia, Ontario, Quebec and even Alberta. It is the custodian, really, of that resource for the Canadian people.

Now, you know, I question the ethics of a federal government if they have a claim, a substantial claim to the offshore resources,

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MR. THOMS: to write a letter like Joe Clark did because I think he was giving you something that he did not have the authority, or the right, or any colour of right to give to this Province. Firstly, he does not own it in two ways: He does not own it as the federal government would own it simply because Newfoundland owns it. We own the offshore resources and it is meaningless, completely meaningless for Joe Clark or Pierre Trudeau to give us ownership. We do not need - I do not need for the Minister of Finance (Dr. Collins) to relinquish any claim that he may have in my home. I would love to get the mortgage company to relinquish their claim but I do not need the Minister of Finance because he has no colour of right. We own the offshore resources. We do not need Joe Clark to relinquish any claim. We do not need New Brunswick to relinquish any claim, we do not need Ontario, we do not need Alberta because they have no claim in the beginning. And we do not need Mr. Trudeau. We do not need him. If you own a house on Elizabeth Avenue, do you need me to relinquish my claim to that house? I do not have any claim.

MR. H. BARRETT: What does he want to go to court for?

MR. THOMS: That does not bother me, what he wants or what he does not want. It just does not bother me. If the federal government goes out on the banks for any reason other than the federal authorities have, they are trespassers. You can take whatever necessary action you want to kick them off just like you can on your own private lawn because they do not own it. They never did own it and never will own it. They never will own it.

MR. ANDREWS: He insists on going to court.

MR. THOMS: He is not insisting on anything. How do you know what he is insisting on? Neither the Premier of this Province nor the Minister of Mines and Energy (Mr. Barry) have sat down with Mr. Trudeau or Mr. LaLonde and asked them anything. It is the most ridiculous situation in the world. We have the Minister of Mines and Energy (Mr. Barry) saying that he is going to sit back in his office here in Confederation

MR. THOMS: Building to wait for the Prime Minister of Canada to come to him. If that is not Mohammed coming to the mountain. That is one thing I cannot understand, the ridiculous confrontation situation that this administration finds themselves in on almost every aspect. As I have said before, it is simply a camouflage to cover up the inactivity, the do-nothingness of this administration since June 18th and I challenge anybody in this Province to tell me one constructive, worthwhile thing that this administration has done in this Province since June 18th except confront with other provinces and the government of this nation.

MR. S. NEARY: Right on.

MR. THOMS: One thing. We have a Matrimonial Act that is going to confuse every married and unmarried person in this Province except, of course, your rich and well-to-do in our urban cities and towns who can afford to pay lawyers.

MR. S. NEARY: Right on. Expensive ones too. Costly and expensive and unnecessary.

MR. THOMS: But go outside the overpass. It amazes, Mr. Chairman, how quickly ten minutes can go in this House when you are talking about a Province that is something that you love dearly. You know it is - The Minister of Mines and Energy (Mr. Barry) says that control flows from ownership. I am ashamed to think that the man got his law degree from Dalhousie University. Control does not flow from ownership. You can have ownership and you need not have control. I think it has been amply said many times

MR. L. THOMS:

before. I own my house on Falkland Street. Let me go down and try to tell Jim Finn or Neil Cahoon or Dorothy Wyatt that I have control over that house, because I do not have control over the house. I simply do not have control over it. If I want to put in an extra bathroom, if I want to put a porch on the house, no matter what I want to do, I have to go to the authority, I have to go to City Council and I have to pay for and get a permit to do it.

MR. NEARY:

Right on.

MR. L. THOMS:

So control does not flow

from ownership. And control probably could be more important and it is more important than ownership. But, the Minister of Mines and Energy (L. Barry) who considers himself to be one of the top constitutional experts in this Province, or this country, gets up and tells us that if we have ownership we have control. Now, there is not a first year law student in the worst law school in the world who would not know the difference of that.

MR. WARREN:

And the lowest mentality.

MR. LUSH:

That is why it is intentional.

MR. L. THOMS:

And that is exactly why it is intentional,

what is being perpetrated on the people of this Province by this administration which has no position, none whatsoever that I can fathom, none whatsoever.

MR. CHAIRMAN(Butt):

Order, please.

MR. L. THOMS:

It is one big lie, Mr. Chairman.

MR. CHAIRMAN:

Order, please. The hon. member's time has expired. The hon. the Minister of Finance.

DR. J. COLLINS:

Mr. Chairman, I think we have had a very useful morning here this morning. We seem to be really getting things clarified in terms of the offshore, the ownership and control. I think we

DR. J. COLLINS: had a very useful morning. I might say - the last hon. member, who took his seat, he said how quickly the time goes by when he is speaking. I thought he had been speaking for at least half an hour. He seemed to be dragging on and droning on there.

MR. NEARY: (inaudible) getting worse than (inaudible).

MR. BARRY: There you are you are taking advantage of (inaudible).

DR. J. COLLINS: Anyway, I would just like to -

MR. CHAIRMAN (Butt): Order, please.

DR. J. COLLINS: - bring out one or two little points, if I may. I would like hon. members to just think, if we had not been a dominion when we went into Confederation, suppose we did not have the claim to the offshore on the basis of our dominion status, how would we now rate with the Federal Government, do you think, and particularly with the Liberal regime in the Federal Government at this point in time, over the offshore? Do you think they would look at us sideways in regard to the possibility that we might own or control the offshore? There would not be a single thought given to the possible benefits that might come to this Province, specifically through our own ownership and control and management of the offshore.

The only reason why the federal government are paying any attention to us at all now is because of our dominion status when we came into Confederation, but if they could find some way of wiggling around that we would be out the door tomorrow. I think that is one important point to bear in mind and I bring this in mind because I think the next question that comes up, and the Premier brought this out very forcibly, the next question that comes up is -

MR. WARREN: (Inaudible).

DR. J. COLLINS: - if it is so simple, so clear-cut why this whole issue can be settled i.e. the Federal Government can tomorrow say, "We relinquish control. We relinquish our claim". If it can be done so

DR. J. COLLINS:

clearly and so simply by that move,

I think the question comes up why has not the Federal Government done this? Why has the present Federal Government, the present federal administration why have they not done that? Now, one administration did do that. One federal administration did do that. That is, the PC Federal Administration did do that. They took that simple clear-cut route. Now, I think that we have to ask, why does the present federal administration not do that?

And again, the hon. the Premier

alluded to this point and I think he nailed it down. He said that there is a fundamental difference of attitude on the part of the two parties and the PC Party, as the Joe Clark's government, as he brought out, he had a different perception of Canada. He had a perception of Canada where there are ten governments, there are ten states and they have come together to achieve a confederation, Because that is what confederation means . Now, he did not have the perception of government that there is a single overpowering power in Canada and the rest are, shall we say, almost like county governments or almost like municipal governments.

That was not Clark's perception of Canada. And indeed that is not what Canada is all about. Because we are different,

DR. COLLINS: say, from Germany, where the landers there have a different relationship to the central government than the provinces of Canada have to the federal government. We are not like in the United States where even though they have state rights there, if you speak to anyone in government in the union they will say that the provinces of Canada, they have a much more cogent governmental function than any state of the union has. In other words in the United States, although they are not the same unitarian type of government say that the United Kingdom is, nevertheless they are much nearer to a centralist type of government than Canada ever was, and that is the strength and that is the beauty, shall we say, and that is the reason for Canada not being like those other nations and we should not be like the other nations, because I think we would be ungovernable if we were like the other nations. We are a country strung out over thousands of miles across a continent. You cannot govern a country like that, by a single source of power right in the middle of a continent somewhere, and expect to control things a thousand miles that way and a thousand miles that way. Canada is not like that. Canada is a country where there are ten governments, ten quite powerful governments, quite legitimate governments, and then there is one central co-ordinating government for the whole lot.

Now, to come back to the question, why then will not the Federal Liberal Party take that simple route and clear up the whole mess the way the PCs did it? And they will not do it for that reason, because the federal party looks upon and wishes to make Canada a centralized, unitarian government. And one can understand why they take that attitude.

MR. CHAIRMAN(Butt): Order, please!

DR. COLLINS: Because clearly they are very disturbed by the way that Alberta, for instance, and also BC are handling their natural resources. They are handling their national resources -

MR. STIRLING: (Inaudible).

DR. COLLINS: Mr. Chairman, I do not like to make a request of the Chair in a regard like this because I think a certain amount of comment back and forth is very useful in this House, but I think that harrassments which the hon. member for Bonavista North (Mr. Stirling) is persisting in - persistent harrassment, that that goes beyond just comment across the House. I think that is clear that he is exceeding his ights in this regard and I would ask you if you would permit me to continue my remarks without these continued interruptions.

MR. CHAIRMAN (Butt): Order, please! The hon. the minister wishes to proceed in silence, to be heard in silence.

MR. STIRLING: (inaudible) for me.

MR. CHAIRMAN: The hon. the Minister of Finance.

DR. COLLINS: The federal government clearly -

MR. STIRLING: (Inaudible).

MR. CHAIRMAN: Order, please!

DR. COLLINS: - wishes things were otherwise in regard to important natural resources and I think that this is behind the federal attitude there. I think the federal government really are aiming at some point in time to take over effective control, if not absolute ownership, effective control of all important natural resources in Canada. I think this is the way that the federal government is going, as enunciated by the Liberal Party. I think that they feel that Canada can only be governed this way, by actually taking over control of all important natural resources. And this certainly is anathema, of course, this is anathema to the PC attitude, where the PC attitude is that the control of the resources should stay on the local scene.

Now, Mr. Chairman, I would just like to move on to another point and that is that why, if that is the Federal Liberal attitude, why is this also sort of the attitude of the local Liberal Party? Because I suggest that the local Liberal Party is relatively wishy-washy about this whole issue. They are relatively

DR. COLLINS: lukewarm about it. Now I think the question comes up, the local Liberal party, the provincial Liberal Party, do they have the same attitude towards Canada and is that the reason why they are proceeding as the Federal Party is? I say no, it is not. I say no, that is not the view of the Provincial Liberal Party.

The Provincial Liberal Party is wishy-washy and lukewarm over our assuming control, first ownership, that is the important necessary step, you must have ownership before you can even talk about control, but I think the Liberal Party are really wishy-washy and lukewarm over assuming control of our resources offshore because they do not have the self-confidence to handle it.

AN HON. MEMBER: Hear, hear!

DR. COLLINS: They really do not feel that if we had it in our control that we would do a good job. They do not think that we can actually manage our own resources. I think that this is where the Liberal Party differ from the Provincial PC Party. The Provincial PC Party think that Newfoundlanders can control, can exploit, can really manage our own natural resources ourselves.

SOME HON. MEMBERS: Hear, hear!

DR. COLLINS: I do not think that the Liberal Party are convinced of that. I think that this is rather lukewarm. They are not thinking that all natural resources should be owned by the central government, as the Federal Liberal Party feels, I think they feel they should be owned by the federal authority because we, Newfoundlanders, do not have the know-how, do not have the confidence in ourselves to manage things themselves. I think those two points were worth making.

MR. CHAIRMAN (Butt): The hon. Leader of the Opposition.

MR. JAMIESON: I am not going to take too much time. While I was out I was nevertheless listening to the hon. Minister of Finance

MR. JAMIESON: (Dr. Collins) and I must say his concept of federalism is, I do not know whether I would call it wishy-washy, I have not got a clue what it was. I am going to have to read it before I know whether I agree with it or whether I do not because it was poorly stated.

MR. NEARY: No wonder nobody has any confidence in him.

MR. JAMIESON: I would like to ask him one question, if I may, and that is - and first of all, let me repudiate completely the fact that it is not a question of lacking confidence in the people of Newfoundland. If you want to talk about the confidence of the government opposite to manage some of these things, I think there are grounds for saying that there is

MR. D. JAMIESON:

justification for us being worried in the sense of what has happened in connection with the Hydro and the Lower Churchill and all of the rest of it over the years, not to mention a few other things. But that is a different question altogether. The point is however - I want to ask him one question and it should be particularly important to him as Minister of Finance (Dr. Collins) - if he is talking about Confederation does he agree that it should be very much a tightly controlled constitutional situation and that, in fact, there should be no serious infringement by one level of government on another if the constitution is breached in anyway by such infringement?

DR. COLLINS:

Mr. Chairman.

MR. CHAIRMAN (Butt):

The hon. Minister of Finance.

DR. COLLINS:

Mr. Chairman, if I may I would just like to answer. The hon. Leader of the Opposition (Mr. Jamieson) just asked me a specific question, I would just to respond to it. I think that certainly we should a constitution that is adhered to and I would suggest to the hon. Leader of the Opposition that the Federal Government is the worst offender in this. The constitution gives to the Provinces under the BNA Act certain activities that are clearly within their jurisdiction and the Federal Government is forever intruding on these and through its taxing powers, through its funding powers is quite often taking over what is quite legitimately provincial jurisdictional activities into the federal area.

MR. D. JAMIESON:

Mr. Chairman.

MR. CHAIRMAN:

The hon. Leader of the Opposition.

MR. D. JAMIESON: I will just take thirty seconds to say that talking about - and I am not going to ask another question because it will only lead to another round. The point is, talking about offenders, if you are going to be constitutional in the sense that, of course, we must adhere to a constitution, then there should not be any involvement with regard to education, health and our friend, the Minister of Transportation and Communications (Mr. Brett), might just as well forget going up and looking for money for roads because they are 100 per cent within provincial jurisdiction. We might as well forget the Lower Churchill Development Corporation because there is absolutely no basis or no grounds whatsoever constitutionally that obliges the Federal Government to be involved. And the hon. minister's Budget, which shows something slightly over 50 per cent of all of the revenues coming in, I would guess that about 40 per cent of that is, strictly speaking, to use his expression, anti-constitution because it is in areas in which, in fact, the Federal Government has no authority whatsoever.

MR. S. NEARY: Mr. Chairman.

MR. CHAIRMAN (Butt): The hon. member for LaPoile.

MR. S. NEARY: Mr. Chairman, we just heard a speech made by the hon. Minister of Finance, Sir, that I would say was the most Tory speech I have ever heard in this House. A red roaring Tory, a redheaded Tory parrotting the rubbish that we have been hearing from the Minister of Mines and Energy (Mr. Barry) in the last couple of weeks. The Minister of Mines and Energy is setting a bad example for the Minister of Finance. On that side of the House, Mr. Chairman, we have a Liberal Premier surrounded by a crowd of Tories - well, a mixture of Liberals and Tories. The hon. Minister of Finance is a red roaring Tory and so is the Minister of Mines and Energy. I cannot say the same about the Minister of

MR. S. NEARY: Justice because he is a mixture of Liberal and Tory. But the Premier is a Liberal and one of the big problems that we have in this House is getting a handle on the Premier because he is sometimes a man after my own thinking, mostly a Liberal, mostly left-wing but surrounded by a crowd who get up and talk so much rubbish and garbage - there is a better name for it but you cannot call it because it is unparliamentary.

So I am just going to ignore what the Minister of Finance (Dr. Collins) said I am going to leave him with his little St. John's cocktail Tory set and I am going to go back to what the Premier said because I am really interested in that.

MR. BARRY: You are boxed in a corner.

MR. S. NEARY: No, I am not boxed into a corner because I am going to say something right now and I only wish the Premier was in his seat. For the first time this morning we found out the official position of this Province regarding their proposal, their presentation to Ottawa in connection with the offshore. And I must say I like it myself. As of this moment I like it. I like it, Mr. Chairman.

MR. BARRY: Now you are coming around.

MR. S. NEARY: No, I am not coming around. It is the first time I heard it.

MR. STIRLING: No, that is this morning's version.

MR. S. NEARY: Well, okay but I hope that that is the official position and they are not going to shift their ground.

MR. STIRLING: Yes they will.

MR. S. NEARY: Tomorrow the Minister of Mines and Energy will

MR. NEARY: say something different. The Minister of Finance (Mr. Barry) will put his version on it. The Minister Without Portfolio, the President of the Council, will have something new then twist it into confusion. We finally now, we finally have in this House an official position and I kind of like it. I kind of like it myself. And now I would say to the government, now that you have a position, go on up to Ottawa, you are the government, stop beating around the bush, stop playing politics, stop asking the Opposition to govern, stop playing politics, take your proposal now and go on to Ottawa with it as fast as you can. Go on!

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: And I hope, Mr. Chairman, that the Premier will clarify one other point and that is that Newfoundland is going it alone. Newfoundland is going to Ottawa unilaterally. We are not going in with Quebec or Nova Scotia or New Brunswick or Prince Edward Island. We have a special case and do not fall into the trap, do not fall into the trap that the Minister of Transportation fell into a couple of years ago when we wanted a ninety/ten deal on the Trans-Canada and he said, no, we will go with Nova Scotia, New Brunswick and Prince Edward Island and ended up with a fifty/fifty deal. Do not let that happen anymore.

MR. STIRLING: They are going to go at it again. The Minister of Finance just said that.

MR. NEARY: Now, Mr. Chairman, now that we have that matter over and done with the government knows its position, we know the government's position, I am inclined to favour it myself, I like it, now we can switch to other matters that are important to the people of this Province and we can get off the oil and gas for a few minutes and get back to some of the other things that are troubling Newfoundlanders. But before we do that, Sir, I want to say this, that never before, Mr. Chairman, in the history of this Province has a government caused such furor over a single issue in this Province, a furor from coast to coast, as the unveiling of that flag did last Tuesday in this hon. House. After

MR. NEARY: the government ripped down the Union Jack and trampled it in the mud they substituted it with a rag that you would not even use to scrub up your floors.

AN HON. MEMBER: Hear, hear!

MR. NEARY: Now, Mr. Chairman, you may say, well what is new in that? What is new in it? There is nothing new in it, Sir, because since this government took over, since the Tories took over in this Province we have seen nothing but confrontation after confrontation, attack after attack. They have attacked just about everyone within the Province and a week or so ago the Premier took to the open road, under the disguise of national unity, to see if there was anyone left in Canada he could attack.

Mr. Chairman, the fact of the matter is that this government has lurched from crisis to crisis in the last several years and we saw now, we have just passed through an example of how they have been playing games, political games with the offshore resources. And thank God today we have finally got that put to bed, put to rest forever.

Mr. Chairman, if the Premier feels that he is inferior to the Prime Minister of Canada or the ministers up there in Ottawa, if he feels he is out of his league, if he feels he is unable to cope with these people because they are intellectual giants, if he feels that he himself cannot cope with these people, or his Minister of Mines and Energy (Mr. Barry) cannot cope with these people, then let him admit that weakness. None of us are intellectual giants, Mr. Chairman.
Let him admit

MR. S. NEARY: that this is a weakness, this is a fault that he has. None of us are perfect. Admit it. Admit it, and then we will take it from there and see what we can do to remedy that situation. Is he afraid that by going to Ottawa that the Prime Minister will take him into Sussex House and the two of them will sit down over a meal and a glass of wine and the Prime Minister will outclass him intellectually? Is that why he will not go to Ottawa? Is he afraid that he will not be able to deal with the Prime Minister's arguments? Is that the reason, Mr. Chairman? Well, if it is, let him admit it. But I believe the people of this Province now are beginning to realize that we have had heap big smoke and no fire in this Province in the last six or seven years.

THOMS: Full of sound and fury, signifying nothing.

MR. S. NEARY: Mr. Chairman, the government have no policy on the fishery, no plans for water and sewerage this year, no intention of fixing up the potholes and the bad roads people are forced to walk and drive over, no intention of developing low cost building lots so Newfoundlanders can build houses for themselves, no concern for the high cost of living and high electricity rates in this Province, and they are not worried in the slightest about record unemployment.

Now, Mr. Chairman, that we have disposed of the offshore question and we know the government's position, can we please get around to debating some of the other problems, the major problems that are worrying and concerning the people of this Province? We have heard all we want to hear now about gas and oil. Now they have the Province in turmoil over a flag to try to distract Newfoundlanders from the real problems that are concerning the ordinary people of this Province. And looking at their track record, Sir, and how they have been preoccupied with playing political games in this Province, is it any wonder that this government have caused such a fuss over a new flag for Newfoundland and Labrador? The crowd occupying the 8th Floor of Confederation Building cannot even get a design that would be acceptable to the people of this Province. They cannot get the design for a new flag, a new distinctive flag for this Province without

MR. S. NEARY: throwing the whole Province in turmoil.

MR. CHAIRMAN (Butt): The hon. the Minister of Mines and Energy.

SOME HON. MEMBERS: Hear, hear!

MR. L. BARRY: Mr. Chairman, in all the years in which hon. House of Assembly has been in operation, I think that the Hansard of this morning containing the remarks of the Opposition on this offshore oil and gas issue will go down in history as the most wishy-washy, weasely, muddying diatribe, Mr. Chairman, that has ever been included in Hansard. And you know, Mr. Chairman, it comes right down to one thing, that the Opposition are embarrassed by the position which was taken by the federal government in Ottawa, having the same political stripe as members opposite. They are embarrassed, and they are even more embarrassed - and the Leader of the Opposition is even more embarrassed by the fact that he was involved, directly involved. I have respect for the hon. gentleman, but, Mr. Chairman, this is the fact, the indelible fact, that that gentleman was in the Cabinet of Mr. Trudeau when Mr. Trudeau's Cabinet rejected the position of this Province on offshore minerals ownership.

MR. L. BARRY: That gentleman was in the Cabinet and rejected this Province's claim for ownership.

SOME HON. MEMBERS: Hear, hear !

MR. L. BARRY: Now, from that fact, from that fact they are now here as a provincial political party fighting for their political lives and they are trying, they are trying to get on the offshore ownership bandwagon.

MR. L. BARRY: But they cannot. They keep jumping and slipping off. It is like the wagon had been carrying a cargo of oil. It is an oil wagon, Mr. Chairman, it is an oil wagon and they keep jumping for it and falling off. They slip off.

AN HON. MEMBER: Let us get (iraudible)

MR. L. BARRY: Because, Mr. Chairman, they cannot get a firm grip. They are not able to get a firm grip because in order for them to get a firm grip, to take a firm and clear position, they will embarrass their leader. And so their leader gets up and gives a wishy-washy statement but does not come out and reject completely the Federal position. Has anybody in the hon. House, Mr. Chairman, heard a criticism of the federal position?

AN. HON. MEMBER: (Inaudible)

MR. L. BARRY: Now, I think that is the litmus test. If hon. members opposite are not able to criticize the position taken by the Federal Government on the question of Newfoundland ownership of offshore resources, how can they, Mr. Chairman, support Newfoundland's case? How can they fight for Newfoundland's rights and we saw it - we saw the member for LaPoile (S. Neary) admit it today, admit it today that they are not in favour one way or the other. Now that is it.

MR. FLIGHT: What difference does the Federal Government (inaudible).

MR. L. BARRY: That is what has been established, that they are not in favour one way or the other but, Mr. Chairman, they

MR. L. BARRY: have not in the slightest fashion, they have not once, they have not once, and I ask the sole member of the press who has reappeared from the catacombs to note this, that nobody on the other side of this House has, Mr. Chairman, raised the slightest criticism of the federal position rejecting Newfoundland's ownership, rejecting Newfoundland's rights and Mr. Chairman, the reason why that there might be some confusion, and I do not think there is much confusion anymore, I think the people of this Province are getting the message - they are getting the message. I think the people of this Province are getting the message

SOME HON. MEMBERS: Oh, oh !

MR. L. BARRY: But any slight confusion that might exist, Mr. Chairman, arises from the fact that they cannot jump on the oil wagon. They keep slipping off because they cannot get a firm grip without embarrassing their leader, without recognizing that he was in the Cabinet which rejected Newfoundland's claim -

MR. THOMS: This is a personal attack on Mr. Jamieson.

MR. L. BARRY: And when I hear - this is not a personal attack. I am not like hon. members opposite, I am attacking the hon. member's principle on offshore ownership, I am not attacking his personality.

SOME HON. MEMBERS: Oh, oh !

MR. L. BARRY: I am not attacking hon. members as the member for LaPoile (S. Neary) tends to do.

MR. CHAIRMAN (Butt): Order, please.

MR. L. BARRY: The personality, destroyers opposite. They do not realize -

MR. CHAIRMAN: Order, please. I have difficulty hearing the hon. the Minister.

MR. L. BARRY: they do not realize, they do not know, Mr. Chairman, members opposite do not know, they do not understand how you can criticize a man's principles without attacking his personality. They do not understand it. It is beyond them. Because the only way they

MR. L. BARRY: can attack is to go for the low scummy
blow -

SOME HON. MEMBERS: Oh, oh!

MR. L. BARRY: - against the personalities opposite.

I am questioning - I am questioning the principles of the Leader of the
Opposition and the principles of every member opposite with respect to
offshore ownership.

MR. THOMS: We will put ours up against yours any day.

MR. L. BARRY: The policy, I am attacking their
policy, Mr. Chairman, not their personalities. I do not have the
stomach to attack their personalities.

MR. S. NEARY: The Leader of the Opposition did not
get in (inaudible).

MR. L. BARRY: Mr. Chariman, could we have a little
order, here, I have a few other good things to say here.

MR. CHAIRMAN (Butt): Order, please! Order, please! I have
difficulty understanding what the hon. the minister is saying due to
everybody talking the same time. Order, please! Order!

MR. L. BARRY: Now, Mr. Chairman, the Leader of the
Opposition this morning said he has always accepted ownership, provincial
ownership. How could he be.

MR. L. BARRY: in the Cabinet of Mr. Trudeau -

MR. J. MORGAN: That is a good question. That is a good question, I will tell you that.

MR. L. BARRY: - and accept Newfoundland ownership?

MR. J. MORGAN: It is a good question.

SOME HON. MEMBERS: Oh, oh!

MR. L. BARRY: How has he always accepted -

MR. S. NEARY: (inaudible) corrupt.

MR. L. BARRY: Mr. Chairman, the hon. member opposite is getting pretty close to a personal attack on myself which, you know, may have to be met and countered, But I ask for the Chair, before things go -

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: Mr. Chairman, on a point of order.

MR. L. BARRY: This is a point of order I am talking to, Mr. Chairman - to have the hon. member opposite controlled, please.

MR. CHAIRMAN (Butt): Order, please!

To the point of order, the hon. the member for LaPoile.

MR. S. NEARY: Mr. Chairman, that is twice this morning in the House that the hon. the Minister of Mines and Energy (Mr. L. Barry) has threatened me and members of this side of the House. And I would submit to Your Honour that that is about one of the lowest, scummiest things that you could do in this hon. House, threaten another member. It is unparliamentary, Your Honour. I would submit that if you cannot discipline the hon. gentleman, that you warn him that he is not permitted under the rules of this House to do that. And how can the hon. gentleman say, Mr. Chairman, the hon. gentleman did one thing when he was in the Trudeau Cabinet - when the hon. gentleman was associated with a government that had a leader who embezzled, who was a thief and who was corrupt?

MR. L. BARRY: Mr. Chairman.

MR. CHAIRMAN: Order, please! The hon. minister is going to speak to the point of order.

To the point of order, the hon. the Minister of Mines and Energy.

MR. L. BARRY: Mr. Chairman, I would submit that there is no point of order other than the usual low personality attack which the hon. member cannot avoid.

MR. CHAIRMAN (Butt): To the point of order. I would rule that there is no point of order, but simply a difference of opinion between two hon. members. The hon. the Minister of Mines and Energy (Mr. L. Barry) has approximately one minute left.

MR. L. BARRY: Now, Mr. Chairman, the question that we have to place before hon. members opposite is to ask them to be honest with the people of this Province and to answer this simple question: Do they accept the position which has been taken by Mr. Trudeau in the past and which reports from the House of Commons yesterday indicate are still adopted -

SOME HON. MEMBERS: Oh, oh!

MR. L. BARRY: - which we hope and expect will be changed, Mr. Chairman.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

I have to remind all hon. members at this time that the time for Interim Supply has run out. If we wish to continue we will have to do it in the nine hours that are allotted for the Concurrence debate, everybody fully understanding that -

MR. W. MARSHALL: (Inaudible) not Interim Supply.

MR. CHAIRMAN: The Committee of Supply, yes.

MR. S. NEARY: The President of the Council (Mr. W. Marshall) has muzzled the members of the House.

MR. W. MARSHALL: On a point of order. Do we have to constantly put up with the harangue from the hon. gentleman? Now there are procedures in this House that can be implemented, Mr. Chairman, for the curbing of disorder such as has been exhibited as a matter of habit by the hon. gentleman. He interrupts everything, he is putting disorderly remarks across the House, and I would ask that he be taken to task.

MR. S. NEARY: To the point of order, Mr. Chairman.

MR. CHAIRMAN (Butt): To the point of order, the hon. the member for LaPoile.

MR. S. NEARY: I would submit, Mr. Chairman, that no other member of this House has been more responsible for lowering the decorum of this House than the hon. gentleman who attacked a member's mother one time in this House. Can you stoop any lower, Mr. Chairman?

AN HON. MEMBER: Hear, hear!

MR. CHAIRMAN: Order, please!

MR. S. NEARY: Can you get down in the gutter any lower than that?

MR. CHAIRMAN: Order, please!

MR. S. NEARY: Mr. Cocktail set.

MR. CHAIRMAN: Order, please! Order, please!

I would rule that there is no point of order in this particular case, but simply a difference of opinion.

On motion, Clauses 302-01 through 309-03, carried.

On motion, that the Committee rise, and report having passed Head III, Executive Council, and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. SPEAKER(Simms): The hon. the member for
Conception Bay South.

MR. BUTT: Mr. Speaker, the Committee of Supply
have considered the matters to them referred, have passed Head III,
Executive Council and ask leave to sit again.

On motion, report received and
adopted, Committee ordered to sit again on tomorrow.

MR. MARSHALL: I move that the House at its rising -
perhaps I could give the House an indication of the business to be
conducted next week. It will be, as I have indicated. On Monday
there will be the first reading called of the bill on the flag.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: We shall then proceed with the Budget
debate, and then when the bill has been received from the printers on
the flag, we shall then proceed into the flag debate which we would
anticipate would very likely, subject to the printers, the exigencies of
the printers office, be ready on Tuesday.

MR. BAIRD: What about the Committees?

MR. MARSHALL: I am sorry.

MR. STIRLING: The press has said one of the problems
of covering the Committees is that they do not (inaudible).

MR. MARSHALL: All I can say, Mr. Speaker, to that is
that I believe the Chair every day gives notice, in the press gallery,
to the press of the times and places where the Committees are meeting
and that is the standard instruction that the Chair complies with.
I do not believe I have the schedules for Monday morning. May I have
them please?

MR. NEARY: Do we have a motion to adjourn or what?

MR. MARSHALL: Well, Mr. Speaker, I am informed too that
this information was distributed yesterday to the press. On Monday from
ten to one the Government Services will meet in the Collective Bargaining

MR. MARSHALL: Room, Transportation and Communications estimates under consideration.

AN HON. MEMBER: You had better be prepared.

MR. MARSHALL: On Monday morning again from ten to one in the Colonial Building the Resource Committee will meet and Industrial Development will be under consideration and the other meetings that are here relate to the night time, so rather than have confusion I can give that on Monday.

MR. SPEAKER (Simms): The hon. member for Bonavista North.

MR. STIRLING: That information is not the same information that has been given to members of the Resource Committee.

MR. MARSHALL: On the Resource Committee?

MR. STIRLING: That is not the same information. That probably explains one of the reasons for the confusion. The information that was given to the Resource Committee and members was that it was seven-thirty on Monday night.

MR. MARSHALL: Well, there is a seven-thirty meeting scheduled for Monday night in the Collective Bargaining Room and there is also one scheduled for Monday morning from ten to one in the Colonial Building.

MR. STIRLING: The members of the Committee have been told, that is all I can tell you, that there is no meeting on Monday morning because some of the members of the Committee will not be here on Monday morning and that it has been prearranged that it is Monday night.

MR. MARSHALL: Well, it was originally scheduled then for Monday. The hon. gentleman is a member of the Committee so he obviously, you know, he obviously knows that Monday morning there is no meeting. I thank him for the information. So the one that will -

MR. NEARY: - the floor of the House.

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: The one that will occur will be Monday morning then, Government Services, from ten to one in the Collective Bargaining Room with Transportation and Communications being considered.

Mr. Speaker, I move that the House at its rising do adjourn until tomorrow, Monday, at 3:00 P.M., and that this House do now adjourn.

MR. SPEAKER: The motion is that this House do now adjourn, is it the pleasure of the House to adopt the motion, those in favour "Aye", contrary "Nay", carried.

This House stands adjourned until tomorrow, Monday at three o'clock.

I N D E X

ANSWERS TO QUESTIONS

TABLED

MAY 2, 1980

*Called by the Hon. the
Minister of Health
D. Drapeau, 1980*

QUESTION #20

Mr. Neary (LaPoile) - to ask the Honourable the Minister of Health to lay upon the Table of the House the following information:

A statement showing the number of accidents on the Trans Canada Highway involving tractor trailers where injury and death occurred for the year 1979.

ANSWER

Statistical information compiled from hospital admissions and services of attending physicians, does not detail incidents involving tractor trailer accidents. The answer to the question is not available from information recorded by the Department of Health.

April 30/80

*Tabled by Hon. Minister
of Health, 2 May, 1980*

QUESTION #23

Mr. Neary (LaPoile) - To ask the Honourable the Minister of Health to lay upon the Table of the House the following information:

- (a) Have the Government taken any action towards eliminating unnecessary expense and inconvenience of having to be referred by a General Practitioner before being allowed to make an appointment with an Ophthalmologist or other specialist.

ANSWER

- (a) Patients are not restricted from making direct appointments with specialists, however, most specialists will only deal with referrals because otherwise their time will be unnecessarily taken up with examination and treatment that can be easily obtained from the family physician, and patients who are referred for consultation will have to contend with longer waiting periods for appointments.

April 30, 1980